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## South Florida Water Management District

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### GOVERNING BOARD MONTHLY MEETING AGENDA

July 14, 2016

9:00 AM

District Headquarters - B-1 Auditorium  
3301 Gun Club Road  
West Palm Beach, FL 33406

FINAL REVISED 07/13/2016 3:45 PM

1. Call to Order - Dan O'Keefe, Chairman, Governing Board
2. Pledge of Allegiance - Dan O'Keefe, Chairman, Governing Board
3. Employee Recognitions - Presented by Peter Antonacci, Executive Director -  
**ITEM REVISED**
  - June Employee of the Month: Eliu Cueto, Right of Way Information Specialist, Operations, Right of Way
  - June Team of the Month: Fairbanks Morse Engine Repair Team
  - July Employee of the Month: Jaime Morales-Garcia Jr., Inventory Specialist, Business Support Unit
  - July Team of the Month: Upper East Coast Water Supply Plan Team
  - 25 Year Service Award: William Meyers, Sr. Systems Administrator, Systems Engineering
  - 30 Year Service Award: Michael Hiscock, Section Administrator, General Services Section
  - Good Samaritan Award: Donald Saunders Jr., Structure Maintenance Technician, St. Cloud Field Station
4. Agenda Revisions - Tia Barnett, Director, Board & Executive Services
5. Abstentions by Board Members from items on the Agenda

6. Water Resources Advisory Commission (WRAC) Report - Jim Moran, Chair - ***ITEM ADDED***
7. Project & Lands Committee Report - Clarke Harlow, Chair
8. Big Cypress Basin Report - Rick Barber, Chair
9. Approval of the Minutes from the June 9, 2016 Governing Board Meeting, held in Ft. Myers

## **Consent Agenda**

10. Public Comment on Consent Agenda
11. Move Consent Agenda Items to Discussion Agenda
12. Board Comment on Consent Agenda
13. Waivers for Water Resource Advisory Commission (WRAC) members pursuant to Section 112.313, Florida Statutes
14. Regulatory Consent Items

### **Conservation Easements and Releases**

- Approve the partial release of 21 recorded conservation easements and a consent to encroach within 22 conservation easements for a project known as Sabal Trail Gas Pipeline (FDEP Permit Numbers 328333-001 and 328333-002) in Orange and Osceola Counties.

#### **Summary:**

Sabal Trail is requesting the release of a total of 10.53 acres from 21 separate conservation easements for the Sabal Trail Gas Pipeline in Orange and Osceola Counties. Florida Department of Environmental Protection (FDEP) Permits authorizing construction of the pipeline (Permit Numbers 328333-001 and 328333-002) have been issued. Mitigation for the impacts within the SFWMD conservation easements was provided through the purchase of 5.35 credits from the Southport Ranch Mitigation Bank. Sabal Trail is also seeking approval of a consent to encroach within 22 separate conservation easements. These areas will be used for temporary staging during construction of the pipeline and then restored to original conditions as required by the FDEP permits cited above. (Regulation, staff contact, Chuck Walter, ext. 3824)

- Approve the partial release of a recorded conservation easement for a project known as Excavation Number 104 / Osceola Utility Commission Parcel 808 (Application No. 160503-27, Permit No. 48-01067-P) in Orange County.

#### **Summary:**

Approve the release of 0.03 acres of conservation easement within a project known as Excavation Number 104 / Orlando Utility Commission Parcel 808 in Orange County. This parcel was erroneously included within the conservation easement area. It is part of an existing dirt road. Approximately 28.54 acres of the original conservation easement remain. (Regulation, staff contact, Chuck Walter,

ext. 3824)

- Approve the partial release of a recorded conservation easement for a project known as Marina Bay (Application No. 150921-14, Permit No. 36-04853-P-05) in Lee County.

**Summary:**

Lee County Homes Associates III, LLLP is requesting a release of 0.10 acres of conservation easement, to construct a privacy wall along a portion of their property line that abuts I-75. No mitigation is proposed to offset this conservation easement release, since the area to be released is upland. Approximately 9.37 acres remain preserved under the existing recorded conservation easement for Conservation Area 16. (Regulation, staff contact, Melissa Roberts, ext. 7795)

- Approve the partial release of a recorded conservation easement for a project known as Savona Bay (Application No. 151218-22, Permit No. 36-06833-P) in Lee County.

**Summary:**

DR Horton Inc. is requesting a release of 0.04 acres of conservation easement, for the installation of rip rap for shoreline stabilization. The applicant is providing 0.01 mitigation bank credits as mitigation. Approximately 12.91 acres remain preserved under the existing recorded easement. (Regulation, staff contact, Melissa Roberts, ext. 7795)

- Approve the amendment of two recorded conservation easements for a project known as Bass Road Residential Planned Development (Application No. 160112-1, Permit No. 36-05233-P) in Lee County.

**Summary:**

Lennar Homes, LLC is requesting an amendment of a conservation easement to release and add portions of two conservation easements for the realignment of an internal road. These include the following: Preserve 1, which totals 9.928 acres, would have 0.044 acres released and 0.263 acres added, making Preserve 1 a total of 10.147 acres. Preserve 2, which totals 10.263 acres, would have 0.431 acres released and 0.156 acres added, making Preserve 2 a total of 9.988 acres. Although the total preserved area is slightly reduced, fewer wetland impacts will result from the re-aligned road; therefore no additional mitigation is proposed. Approximately 20.13 acres remain preserved under the existing recorded easement. (Regulation, staff contact, Melissa Roberts, ext. 7795)

- Approve the full release of a recorded conservation easement for a project known as Hyder Squared (AKA Liberty Trust) (Application No. 160219-6, Permit No. 50-11075-P) in Palm Beach County.

**Summary:**

441 Acquisition LLC is requesting release of a 13.47 acre conservation easement to construct a residential development east of Highway 441 and south of Atlantic Avenue in Delray Beach. The applicant is providing 7.9 freshwater forested mitigation bank credits from the Loxahatchee Mitigation Bank as mitigation. (Regulation, staff contact, Ricardo Valera, ext. 6404)

- Approve the partial release of a recorded conservation easement for a project known as Christ Fellowship (Application No. 151026-15, Permit No. 43-01664-P) in Martin County.

**Summary:**

The applicant is requesting the release of 15.19 acres of a conservation easement to reconfigure the preserved areas so that they adhere to the preferred upland preservation area requested by Martin County Board of County Commissioners. The applicant is providing an additional 5.2 acres of upland preservation to offset the proposed change in preservation area. No mitigation is required to offset this conservation easement release, as the area to be released was not part of a mitigation plan. Approximately 77.03 acres remain preserved under a new recorded easement. (Regulation, staff contact, Ricardo Valera, ext. 6404)

**Seminole Tribe Work Plans**

Concur with the Sixth Amendment to the Twenty Ninth Annual Work Plan for the Seminole Tribe of Florida. This work plan is the procedural mechanism under which the District addresses water use, surface water management, natural resource management, well construction, and right of way activities the Tribe plans to undertake. This mechanism was established under the 1987 Water Rights Compact among the Seminole Tribe of Florida, the State of Florida and the SFWMD (also see Section 373.200, Florida Statutes).

**Summary:**

Under this amended work plan, the following activities are planned. Works in the Hollywood Reservation include a proposal for the construction of the Seminole Classic Casino parking lot expansion. The expanded parking area (6.23 acres) will accommodate approximately 500 additional parking spaces, including a dry retention area. (Everglades Policy & Coordination, staff contact, Armando Ramirez, ext. 6684)

15. **Right of Way - Regulatory Consent**

**Right of Way Occupancy Permit Requests for Denial**

Staff recommends denial of a request by Aneudi Sanchez (Application Number 14-0305-1) for issuance of a Right of Way Occupancy Permit for a proposed fence within the north right of way of the North New River Canal adjacent to 11400 Tara Drive, Plantation, Florida 33325 (Section 12, Township 50 South, Range 40 East, Lot 25, Plantation Acres South Unrecorded, Book 49786 Page 806 of the Public Records of Broward County, Florida). The District sent a final letter to Mr. Sanchez advising him that his application will be scheduled for the July 14, 2016 Governing Board meeting with a recommendation for denial. The applicant has failed to provide sufficient information to demonstrate that the proposed use meets the criteria established in the document referred to in Rule 40E-6.091, F.A.C. (Field Operations & Land Management, staff contact, Karen Estock, ext. 6282)

16. **Resolution No. 2016 - 0701 Approve release of canal and road reservations, and issuance of non-use commitments. (Real Estate, staff contact, Kathy Massey, ext. 6835)**

**Summary:**

The District has jurisdiction over certain reserved rights to construct canal and road

right of ways, and mineral rights, together with the right of ingress, egress and exploration. Applications requesting releases of these reservations are routinely received from landowners, attorneys, title companies and lending institutions, who consider the reservations to be title defects. Applications are reviewed by appropriate District staff and applicable local governmental agencies to determine that there is no present or future need for the reservations.

**Staff Recommendation:**

Staff Contact: Kathy Massey, ext. 6835

Staff recommends approval of the following:

- Release of canal and road reservations, and issuance of non-use commitments for CF Weston Hills Arcis, LLC (File Nos. 5-16-3, 18689, 18690, NUC 1708, NUC 1709 and NUC 1710) for 351.05 acres in Broward County
- Release of canal reservations for Pembroke Towers, Ltd. (File No. 6-16-1) for 4.0 acres in Broward County
- Release of canal reservations for SunTrust Bank, as Trustee (File Nos. 6-16-3 and 18695) for 17.23 acres in Broward County
- Release of canal reservations for Church of Jesus Christ the Almighty, Inc. (File No. 6-16-4) for 3.03 acres in Miami-Dade County
- Release of canal reservations for Vera Brosnahan, Trustee (File No. 6-16-5) for 1.72 acres in Broward County
- Release of canal reservations for Andrew M. Skinner and Machel Ann Tenbroeck (File No. 6-16-6) for 2.35 acres in Miami-Dade County
- Release of canal and road reservations for Team Horner RE Holdings, LLC (File No. 18694) for 1.35 acres in Broward County

17. Resolution No. 2016 - 0702 Approve the release of an access easement containing 3.64 acres, more or less, in exchange for a relocated access easement containing 0.83 acres, more or less, C-43 (Caloosahatchee River) Project, located in Sections 6 and 7, Township 43 South, Range 32 East, Hendry County, subject to satisfaction of certain terms, conditions and requirements. (Real Estate, staff contact, Kathy Massey, ext. 6835)

**Summary:**

Florida Department of Transportation (FDOT) is currently widening a portion of State Road 80 in Hendry County. FDOT is requesting that an existing access road to the C-43 (Caloosahatchee Canal) be rerouted to accommodate their project. The District will release a portion of the existing access road easement containing 3.64 +/- acres, located in Sections 6 and 7, Township 43 South, Range 32 East. In exchange, FDOT will grant the District a new Access Road Easement containing 0.83 +/- acres.

18. Resolution No. 2016 - 0703 Approve declaring surplus land interests in Collier County containing 1.76 acres, more or less, without reservation of interests under Section 270.11, Florida Statutes, together with any structures and improvements and personal property appurtenant thereto, and approving offering said property to the public for bid to be sold for the highest price obtainable but not less than the appraised value. (Real Estate, staff contact, Ray Palmer, ext. 2246)

**Summary:**

District staff has analyzed the options for disposal of that certain parcel of land containing 1.76 acres, more or less, located in Collier County identified as Tract OB100-001 ("Tract"). The Tract was acquired and developed for use as the Big Cypress Basin

field station, consisting of an office building and warehouse, with supporting site improvements. A new field station has been constructed at another site and operations have been relocated, leaving this former field station no longer in use. Further staff analysis resulted in a determination that the Tract was not needed for any other District purposes and would therefore be available for surplus. An appraisal has been obtained establishing an appraised value of \$1,100,000 for the Tract. A public meeting regarding the surplus and sale of the Tract was conducted on May 27, 2016. Staff recommends to the Governing Board that the Tract be declared surplus, without reservation of interests under Section 270.11, Florida Statutes, together with any structures and improvements and personal property appurtenant thereto, and be offered to the public for bid to be sold for the highest price obtainable but not less than the appraised value.

19. Resolution No. 2016 - 0704 Approve the purchase of land interests containing 5.0 acres, more or less, in Miami-Dade County, Pennsuco Project, in the amount of \$40,000 plus an additional \$10,133.85 fund allocation for long term land management and associated real estate and environmental restoration expenditures, for which dedicated Lake Belt Mitigation Fund have been budgeted; approve declaring surplus, disposal of, and removal from the asset records any such structures and improvements deemed unnecessary for the stated purpose of the original land acquisition. (Real Estate, staff contact, Marcy Zehnder, ext. 6694)

**Summary:**

Tract No. W9307-946, owned by Jerry Kemp, comprises a total of 5.0 acres located within the District's Pennsuco Wetlands Project. The purchase price for Tract No. W9307-946 is \$40,000, together with the \$10,133.85 in cumulative funding for land management costs and associated real estate and environmental restoration expenditures. The purchase price of \$40,000 is under the appraised value of \$70,000. The Pennsuco wetlands are approximately 13,000 acres of wetland prairie located adjacent to the east perimeter of Water Conservation Area (WCA) 3B in northwestern Miami-Dade County. The Pennsuco area is bordered to the west and north by Krome Avenue, to the south by Tamiami Trail and the east by the Dade-Broward Levee.

20. Resolution No. 2016 - 0705 Approve extending the termination date for satisfaction of terms, conditions and requirements of Resolution No. 2012-1105, in connection with the release of right of way interests containing 1.42 acres, more or less, to the underlying fee owner at appraised value, C-4 (Tamiami Canal), located in Section 3, Township 54 South, Range 39 East, Miami-Dade County, subject to satisfaction of certain terms, conditions and requirements. (Real Estate, staff contact, Kathy Massey, ext. 6835)

**Summary:**

The applicant, Target Corporation, has requested and received approval for the release of a portion of the C-4 canal right of way easement to accommodate their proposed commercial development under Resolution No. 2012-1105. The area to be released is 1.42 acres, more or less, and is located in Section 3, Township 54 South, Range 39 East, Miami-Dade County, Florida.

The applicant has not met all of the development requirements and is requesting an extension of time for the release. Resolution No. 2012-1105 will be rescinded and replaced with a new resolution approving this item, subject to the terms, conditions and requirements.

21. Resolution No. 2016 - 0706 Approve declaring surplus land interests in Okeechobee County containing 44.15 acres, more or less, subject to a reserved perpetual access easement containing 2.3 acres, more or less, without reservation of interests under Section 270.11, Florida Statutes, together with any structures and improvements and personal property appurtenant thereto, and approving offering said property to the public for bid to be sold for the highest price obtainable but not less than the appraised value. (Real Estate, staff contact, Ray Palmer, ext. 2246)

**Summary:**

Pursuant to Resolution 2013-612, the Governing Board directed staff to further analyze the options for disposal of certain lands and to thereafter propose recommendations to the Governing Board for further approval. Tract C1100-041 containing 44.15 acres, more or less, located in Okeechobee County (the "Tract"), was included in the Resolution. Staff further analyzed the options for disposal of the Tract, obtained an ecological assessment, and conducted a public meeting on May 27, 2016 regarding the surplus and sale of the Tract. The ecological assessment did not identify any matters of concern. An appraisal establishing an appraised value of \$220,000 for the Tract was also obtained. The appraisal appraised value reflected that the surplus of the Tract will be subject to a reserved perpetual access easement encumbering the east 60 feet comprising approximately 2.3 acres. Staff recommends to the Governing Board that the Tract be declared surplus, subject to the reserved perpetual access easement and without reservation of phosphate, minerals, metals and petroleum under Section 270.11, Florida Statutes and be offered to the public for bid to be sold for the highest price obtainable, but in no event less than appraised value.

22. Resolution No. 2016 - 0707 Authorize entering into an Agreement with the University of Florida Board of Trustees through September 30, 2020 for the purpose of conducting herbicide evaluations and refining best management practices for the control of old world climbing fern (Lygodium), in an amount not-to-exceed \$252,434, of which \$15,014 of dedicated funds are budgeted; and the remainder is subject to Governing Board approval of the Fiscal Year 2017 through Fiscal Year 2020 budget. (Contract No. 4600003416) (Field Operations & Land Management, staff contact, Francois Laroche, ext. 6193)

**Summary:**

Invasion of South Florida's natural habitats by nonindigenous plant species has significantly altered the region's ecosystems, particularly by displacing native species and altering ecosystem functions. These impacts present major challenges to the District's mission to restore, preserve, and protect the South Florida ecosystem. Perhaps no other plant species poses a greater threat to South Florida's mesic upland and wetland ecosystems than Old World climbing fern (Lygodium). This highly invasive fern smothers native vegetation, severely compromising plant species composition, destroying tree island canopy cover, dominating understory communities, and substantially altering fire and nutrient cycling regimes.

The University of Florida Institute of Food and Agricultural Sciences is uniquely suited to carry out herbicide evaluations in cooperation with District invasive plant management scientists currently combating Lygodium in the Everglades and elsewhere. The District intends to enter into a five-year agreement with the University of Florida. Over a multi-year period, the University will work with the District's scientists to develop an accelerated herbicide screening program, address non-target injury, examine environmental factors in relation to management, and improve

sequential treatment strategies for differing plant communities and environments.

23. Resolution No. 2016 - 0708 Approve an amendment to the Fiscal Year 2015-2016 Budget recognizing unanticipated intergovernmental revenue from the 2016 Legislative Session of \$469,460 for CERP planning, design, engineering and construction authorizing the Executive Director or designee to submit reimbursement requests in the amount of \$469,460 as funded by the Florida Legislature from the Save Our Everglades Trust Fund. (Administrative Services, staff contact, Dorothy Bradshaw, ext. 2823)

**Summary:**

The district anticipates receiving funds from State Appropriation 1590 from the 2016 Legislative session to facilitate and support CERP planning, design and engineering. The funds become available at the beginning of the State's fiscal year 2016-2017 budget, July 1, 2016. The amendment requests to recognize a portion of these funds early to take advantage of the three month fiscal year difference between the state and the District. The amendment will fund \$200,000 for S-199 and S-200 design. If the design is not initiated this fiscal year, it will delay the project by one to two years due to sequential nature of the milestones. \$30,980 of the appropriation is for Lake Okeechobee Watershed Project engineering technical support. The official project kick off will occur on July 25, 2016 and employ the USACE's expedited SMART planning feasibility process which requires a tremendous amount of work be done within the first 90 days. \$238,480 of the appropriation is for the Western Everglades Project model development, application and post processing, moving water south feasibility and engineering technical support. Initiation of planning has been expedited due to several factors: a desire to address Tribal Nation concerns in the Western Everglades region, public/ political demands to send more water south instead of to the estuaries. Request for review and approval has been submitted to the Florida Department of Environmental Protection and the Executive Office of the Governor pursuant to the requirements of s. 373.536(4) (c), F.S.

24. Board Vote on Consent Agenda

25. Board Comment

## **Discussion Agenda**

26. Overview of Seminole Tribe of Florida Water Rights Compact - Jennifer Brown, Senior Attorney, Office of Counsel and Michelle Diffenderfer, Lewis Longman & Walker, (ext. 2258)
27. Technical Reports - **ITEM REVISED**
  - A) Water Conditions Report - John P. Mitnik, Division Director, Operations, Engineering & Construction (ext. 2679)
  - B) Ecological Conditions Report - Terrie Bates, Division Director, Water Resources (ext. 6952)
  - C) Proposed Project - Moving Freshwater South to Florida Bay - John P. Mitnik, Division Director, Operations, Engineering & Construction (ext. 2679)



28. Authorize the Executive Director to procure commodities, equipment, and services needed to respond to the emergency conditions identified in the Governor's Executive Order Nos. 16-155 and 16-156 regarding increased algae blooms including expediting implementation of Dispersed Water Management projects on privately-owned and publicly-owned lands and amend the FY2015-2016 budget to recognize fund balance of \$2,600,000 available to implement the Orders. (Ernie Marks, Division Director, Everglades Policy & Coordination, ext. 6993)
- A) Resolution No. 2016 - 0709 Authorize the Executive Director to procure commodities, equipment, and services needed to respond to the emergency conditions identified in State of Florida Office of the Governor Executive Order Nos. 16-155 and 16-156 regarding increased algae blooms resulting from increased discharges from Lake Okeechobee and local basins. (Office of Counsel, staff contact, Carlyn Kowalsky, Practice Leader, ext. 6240) - **ITEM REVISED**
- B) Resolution No. 2016 – 0710 Approve an amendment to the Fiscal Year 2015-2016 Budget recognizing \$2,600,000 of fund balance to execute activities associated with Executive Order Nos. 16-155 and 16-156. (Administrative Services, staff contact, Dorothy Bradshaw, ext. 2823)

**Summary:**

Governor Scott has issued an emergency declaration to address the increased number of algae blooms during the month of June 2016. The Florida Department of Environmental Protection, the state's five water management districts, the Florida Department of Health, the Florida Fish and Wildlife Conservation Commission and other state agencies all work together to respond to algal blooms. In support of Governor Scott's direction the South Florida Water Management District is taking the following actions:

- Store additional water north of Lake Okeechobee in the Kissimmee Chain of Lakes
- Work with state and community partners to explore every opportunity to increase water flowing south from Lake Okeechobee
- Store additional water through dispersed water storage projects
- Holding additional water in the Kissimmee River Basin
- Increased discharges into L-8 Canal
- Expediting the DuPuis Wildlife Management Area Dispersed Water Management project
- Constructing a 320-acre impoundment at Section C Water Farm located in the C-23/C-24 basin
- Temporary water storage at Florida Power and Light's C-44 cooling pond
- Emergency pumping at Caulkins Citrus
- Emergency pumping at Bluefield Grove
- Emergency pumping at Sunrise Grove

The District will implement the Governor's executive orders by accelerating associated activities to address the emergency at additional locations as they are developed.

29. Resolution No. 2016 - 0711 Advise the U.S. Congress to appropriate emergency funding necessary to complete repair and rehabilitation of the Herbert Hoover Dike around Lake Okeechobee as soon as possible. This action will make more storage available in the lake and reduce harmful discharges into the St. Lucie and Caloosahatchee estuaries.

**Summary:**

In response to algae blooms in South Florida this summer, the most meaningful, timely, and effective assistance that the U.S. Congress can provide is adequate government funding for the U.S. Army Corps of Engineers to complete repairs to the Herbert Hoover Dike around Lake Okeechobee. Years of government failure to maintain and repair the dike has left the 80-year-old structure, in the Corps' own assessment, "critically near failure or extremely high risk" and unable to hold water at higher levels. As a result, the Corps has responded to historic rainfall in 2016 by sending billions of gallons of water east into the Indian River Lagoon and St. Lucie River and Estuary and west to the Caloosahatchee River and Estuary, contributing to the algae blooms. With emergency funding to accelerate the last half of dike repairs, the Corps could stop the devastating discharges and store more water in Lake Okeechobee as required according to system conditions.

30. Resolution No. 2016 - 0712 Advise the Florida Legislature to adopt Governor Scott's proposed Indian River Lagoon and Caloosahatchee Cleanup Initiative. This voluntary 50/50 matching grant program would encourage residents in communities surrounded by bodies of water affected by algae blooms to replace septic tanks with sewer systems in order to curb pollution that is currently fueling the algae blooms.

**Summary:**

While the most high-profile contributor to current algae blooms impacting the Indian River Lagoon and Caloosahatchee estuaries is releases from Lake Okeechobee made by the U.S. Army Corps of Engineers, scientific research shows local contributors such as failing septic tanks are providing excess nutrients for the algae to feed. Between 2011 and 2015, local basin runoff - including water from septic systems - accounted for an average of 79% of the total inflows to the St. Lucie Estuary, 79% of the total nitrogen load, and 87% of the total phosphorus load. Governor Scott's Indian River Lagoon and Caloosahatchee Cleanup Initiative would invest in communities along the St. Lucie and Caloosahatchee estuaries to prevent failed septic systems from leaking nutrients that fuel harmful algae blooms such as those currently being experienced in local waterways.

31. Approval of the Fiscal Year 2015 Comprehensive Annual Financial Report, Audit Management Letter

**Summary:**

The District's external audit firm completed their audit of the District's financial statements for the fiscal year ending September 30, 2015. This annual independent financial audit was performed to fulfill the requirements of Part III, Chapter 218, Florida Statutes. The audit examines the financial records and statements of the District in order to form opinions of the District's financial statements. These audits are performed in accordance with generally accepted auditing standards as set forth by the American Institute of Certified Public Accountants, the rules of the Auditor General of the State of Florida, and the standards for financial audits set forth by the U.S. Office of Management and Budget revised Circular A-133, Audits of State, Local Governments and Non-Profit Organizations.

32. Approval of Inspector General's Audit Reports and a Review of the Office of Inspector General Peer Review Report - Tim Beirnes, Inspector General (ext. 6398)

**Summary:**

The following audit reports are completed:

- Approval of the Audit of the Permit Application Process
- Approval of the Audit of the IT Resource Approval Process

The Audit and Finance Committee Charter provides for the Board's review and approval of audit reports. Additionally the Office Inspector General Peer Review Report was completed on April 28, 2016. The report covering the three year period ended December 31, 2015. Florida State statutes [20.055(6)(a)], require inspector general's to perform audits in accordance with Government Auditing Standards promulgated by the Comptroller General of the United States. One of those standards requires an external independent peer review once every three years to assess the audit organization's conformance with applicable professional standards.

The review was performed through the Association of Local Government Auditors peer review program. The Inspector Generals Office received a "Pass" compliance report, which means that in the reviewers opinion the Office of Inspector General's quality control system was suitably designed and operating effectively to provide reasonable assurance of compliance with applicable Government Auditing Standards for audits completed during the period January 1, 2013 through 31, 2015.

33. Resolution No. 2016 - 0713 Authorize entering into an agreement with the U.S. Department of the Army to evaluate alternatives and prepare a Post Authorization Change Report for the C-111 South Dade Project (Contract No. 4600003435). - **ITEM POSTPONED**
34. Authorize an amendment to the Agreement with Broward County Board of County Commissioners for cost-sharing, use and maintenance of the S-9 Access Bridge replacement project, to increase District funding in an amount not to exceed \$400,000, which is subject to Governing Board approval of the Fiscal Year 2016-2017 budget. (Contract No. 4600002872) (Operations, Engineering and Construction, staff contact, John P. Mitnik, ext. 2679)

**Summary:**

The S-9 Pump Station Access Bridge was completed in 1957 by the Army Corps of Engineers. The bridge is located at the western terminus of Griffin Road in western Broward County and provides access to the S-9/S-9A Pump Stations and Everglades Holiday Park over the L-37/L-33 borrow canals. Broward County desires to replace the existing S-9 Access Bridge with a two lane bridge. SFWMD and Broward County have an existing 50/50 cost-share agreement for this project, with Broward County providing all design and construction of the new bridge, and SFWMD participation in a review and advisory capacity. Due to site access restrictions during construction, additional cost-share funding is required in an amount not-to-exceed \$400,000 for a total agreement amount not-to-exceed \$1,200,000.

35. Resolution No. 2016 - 0714 Authorize entering into a 260-day contract with Great Lakes Environmental & Infrastructure, LLC, the lowest responsive and responsible bidder, for the Ten Mile Creek Rehabilitation Project, in the amount of \$5,767,400, which is budgeted; providing an effective date. (Contract No. 4600003444) (Operations, Engineering and Construction, staff contact, John P. Mitnik, ext. 2679)

**Summary:**

The Ten Mile Creek Water Preserve Area (WPA) is located on the south bank of Ten Mile Creek, immediately west of both the Florida Turnpike and Interstate 95 in Fort Pierce, Florida. The Ten Mile Creek WPA consists of a 526-acre reservoir designed for water storage, and a 132-acre wetland Treatment Cell designed for water quality improvement prior to discharge. The facility was originally constructed by the USACE but was not operated for several years due to deficiencies associated with the safety of its embankment. During the 2015 wet season, the SFWMD was approved to operate the reservoir at a limited approximately 1 foot depth, up to elevation 19.0' NGVD. In May 2016, the project was deauthorized by the USACE and returned to the SFWMD to complete a remediation project that would allow for an increased level of storage, albeit less than the level anticipated during the reservoir's original design and construction.

The objective of this remediation project is to improve the level of service of the reservoir by increasing its maximum stage from 19.0' NGVD to 22.0' NGVD. The project includes filling of the reservoir's interior collector ditch and repairing areas of the apron in order to reduce levels of seepage and improve factors of safety associated with the reservoir's embankment. These improvements in the capacity of the facility will assist in improving the timing and quality of freshwater flows into the North Fork of the St. Lucie River, assist in water supply when stored water is available, and may also assist in reducing flooding during high rainfall events in the region. Implementing the Ten Mile Creek Rehabilitation Project is anticipated to result in improvement of the District's ability to provide water storage and treatment in the Ten Mile Creek Basin, resulting in environmental enhancement to the North Fork of the St. Lucie River.

36. Resolution No. 2016 - 0715 Authorize entering into a 1,885-day contract with PC Construction Company, the lowest responsive and responsible bidder, for the Pump Station S-5A Repowering and Automation Project, in the amount of \$56,526,000, for which \$1,980,520 is budgeted, and the remainder is subject to Governing Board approval of future years' budgets. (Contract No. 4600003443) (Operations, Engineering and Construction, staff contact, John P. Mitnik, ext. 2679)

**Summary:**

The Pump Station S-5A Repowering and Automation Project is intended to be constructed by the District over the next five years. This project is an integral component of the District's 10-year Strategic Plan to refurbish the infrastructure of the Central and Southern Florida Flood Control Project. This project will allow the District to maintain the operation of the station for at least the next 50 years. The S-5A Pump Station provides flood control for the S-5A Basin.

37. Resolution No. 2016 - 0716 Approve a 3-year cattle grazing lease extension on the Lease Agreement with Frank J. and Marilyn H. Brady on 1,831.52 acres, more or less, in Martin County. (Contract No. 4600001297) - **ITEM POSTPONED**

38. Environmental Risk Assessment Services (Real Estate, staff contact, Ray Palmer ext. 2246)

Authorize the official ranking of short-listed firms and entering into three year work order contracts with two one-year renewal options, subject to successful negotiations as follows:

Resolution No. 2016-0717	AECOM Technical Services, Inc.
Resolution No. 2016-0718	CB&I Environmental
Resolution No. 2016-0719	CDM Smith, Inc
Resolution No. 2016-0720	Environmental Consulting & Technology, Inc
Resolution No. 2016-0721	Professional Service Industries, Inc
Resolution No. 2016-0722	Terracon Consultants, Inc.

Each contract is with one of six firms selected for environmental risk assessment services, in an amount not to exceed \$900,000, subject to Governing Board approval of Fiscal Year 2016 through Fiscal Year 2019 budgets. The contracts are issued in response to RFP 6000000756. (Real Estate, Staff Contact, Ray Palmer ext. 2246)

**Summary:**

Staff is seeking approval to authorize the District enter into negotiations with the objective of executing a contract to perform Environmental Risk Assessment (ERA) services with each of the six environmental consulting firms selected through a Consultant Competitive Negotiation Act solicitation process. Each approved contract establishes a means to issue work orders for District services on an as needed basis.

The services assessable within this contract would include Phase I/II environmental assessments, ecological risk assessments, contamination remediation design and implementation, air monitoring/reporting/permitting, interim land use Best Management Plans petroleum storage tank system management, hazardous/industrial waste management, asbestos surveys / abatement and demolition, closure of septic tanks / water wells, emergency response activities and other related ERA activities. The contracts are necessary to provide Environmental Services and technical support to the District's Real Estate, Operations, Engineering & Construction, Field Operations & Land Management, Everglades Policy & Coordination Divisions and the Office of Counsel. The awarded contracts would establish a pool of qualified environmental consulting firms, possessing the depth of experience, skill, personnel and equipment to assist District staff.

39. Resolution No. 2016 - 0723 Approve release of a portion of a canal right of way easement containing 0.14 acres, more or less, in exchange for a canal right of way easement containing 0.31 acres more or less, and deny the release of a portion of a canal right of way easement containing 0.03 acres, more or less, Hillsboro Canal Project, Lots 14A and 15A, Block 8, HILLSBORO PINES, SECTION "B", Plat Book 43, page 20, Section 31, Township 47 South, Range 42 East, Broward County. (Real Estate staff contact, Kathy Massey, ext. 6835)

**Summary:**

The applicant (Steve Gale and Marilyn Gale) has requested a release of a portion of a canal right of way easement containing 0.17 acres, more or less, which constitutes a release of the easement lying south of a line located 30 feet from the top of bank of the Hillsboro Canal. Staff is recommending the denial of this release. The Operations and Maintenance staff have advised that the District needs 40 feet from top of bank,

because the width of the right of way must accommodate heavy equipment during routine maintenance and in emergency situations. After completion of the District's Hillsboro Canal Bank Stabilization Project, all the adjacent residents, including the applicant, received a communication from the District in February 2016 stating that a minimum setback of 40 feet from top of bank is required.

Staff recommends the release of a portion of a canal right of way easement containing 0.14 acre, more or less, of the canal right of way easement lying South of a line located 40 feet South of the top of bank of the Hillsboro Canal for residential purposes. In exchange, a new canal right of way easement containing 0.31 acre, more or less, will be granted to the District over that portion of Lots 14A and 15A, Block 8, HILLSBORO PINES, SECTION "B", Plat Book 43, page 20, Section 31, Township 47 South, Range 42 East, Broward County, located 40 feet South of the top of bank. The exchange will be subject to the terms, conditions and requirements.

40. Resolution No. 2016 - 0724 Authorize Contract No. 4600003421 with Future Kids of West Palm Beach Corp for a ten year lease in a revenue amount of \$1,158,679. (Office of Counsel, staff contact, Thomas Sawyer, ext. 6257)

**Summary:**

This request is to authorize Contract No. 4600003421 with the Future Kids of West Palm Beach Corp for a period of ten years in a revenue amount of approximately \$1,158,679. The purpose of the contract is to lease space located at the District's Headquarters complex for childcare services. The proposed lease consists of a stand-alone 6,216 square foot building located on an approximately 1-acre parcel situated at the Southwest corner of the Headquarters site.

41. Resolution No. 2016 - 0725 Approve submission of the proposed Fiscal Year 2016-2017 millage rates for the purpose of advising county Property Appraisers for publication on Truth-in-Millage (TRIM) notices. (Administrative Services, Staff Contact, Dorothy Bradshaw, Ext. 2823)

**Summary:**

Each year, the Governing Board discusses proposed millage rates as part of the statutorily mandated Truth-in-Millage (TRIM) process. These rates are then provided to each county property appraiser within the boundaries of the District for inclusion on TRIM required proposed property tax notices.

The proposed Fiscal Year 2016-2017 millage rates are the rolled-back millage rates and have been calculated to comply with the TRIM process to calculate the rolled-back millage rates. The following millage rates are proposed consistent with Governing Board strategic guidance:

District-at-Large:	0.1359 mills
Okeechobee Basin:	0.1477 mills
Everglades Construction Project:	0.0471 mills
Big Cypress Basin:	0.1336 mills

42. General Public Comment

## **Staff Reports**

43. Monthly Financial Report - Dorothy Bradshaw

44. General Counsel's Report - Brian Accardo
45. Executive Director's Report - Peter Antonacci
46. Board Comment
47. Adjourn

**CLOSED DOOR SESSION**

Information Technology Security discussion pursuant to Florida Statute 281.301

*Members of the public wishing to address the Governing Board on agenda items that require a vote are to complete a Public Comment Card and submit the card to the front desk attendant. You will be called by the Board Chairman or designee to speak. Governing Board policy limits comments from the public to 3 minutes unless otherwise determined by the Governing Board Chairman. Comments on the Consent agenda will be considered by the Governing Board prior to adoption of the Consent Agenda. Unless otherwise determined by the Chairman, Board action on Consent Agenda items moved to the discussion agenda will occur at or after 9:00 a.m. on Thursday.*

**M E M O R A N D U M**

**TO:** Governing Board Members  
**FROM:** Jill Creech, Director, Regulation  
**DATE:** July 14, 2016  
**SUBJECT:** Regulatory Consent Agenda

- Conservation Easement Amendments and Releases
- Seminole Tribe Work Plans



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July 14, 2016

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## REGULATION AGENDA ITEMS

**PERMIT DENIAL:** Those listed on the consent agenda are routine in nature and non-controversial. Such denials are typically due to failure of applicant to complete the application. Unique or controversial projects or those requiring a policy decision are normally listed as discussion items. Permit types include:

**Environmental Resource (ERP):** Permits that consider such factors as the storage of storm water to prevent flooding of a project (upstream or downstream projects); the treatment of stormwater prior to discharge from the site to remove pollutants; and the protection of wetlands on the project site.

**Surface Water Management:** Permits for drainage systems, which address flood protection, water quality, and environmental protection of wetlands.

**Water Use:** Permits for the use of ground and/or surface water from wells, canals, or lakes.

**Lake Okeechobee Works of the District:** Permits that set concentration limits for total phosphorus in surface discharge from individual parcels in the Lake Okeechobee Basin.

**EAA Works of the District:** Permits to reduce the total phosphorus load from the EAA by 25 percent in water discharged to Works of the District.

**Wetland Resource:** Permits for dredge and fill activities within Waters of the State and their associated wetlands.

**ADMINISTRATIVE HEARING:** A case in litigation conducted pursuant to the Administrative Procedures Act (Chapter 120, Florida Statutes) involving the determination of a suit upon its merits. Administrative hearings provide for a timely and cost effective dispute resolution forum for interested persons objecting to agency action.

**FINAL ORDER:** The Administrative Procedures Act requires the District to timely render a final order for an administrative hearing after the hearing officer submits a recommended order. The final order must be in writing and include findings of fact and conclusions of law.

**CONSENT ORDER:** A voluntary contractual agreement between the District and a party in dispute which legally binds the parties to the terms and conditions contained in the agreement. Normally used as a vehicle to outline the terms and conditions regarding settlement of an enforcement action.

**CONSERVATION EASEMENT:** A perpetual interest to the District in real property that retains land or water areas in their existing, natural, vegetative, hydrologic, scenic, open or wooded condition and retains such areas as suitable habitat for fish, plants, or wildlife in accordance with Section 704.06, F.S.

**TECHNICAL DENIAL:** This action normally takes place when a proposed project design does not meet water management criteria or the applicant does not supply information necessary to complete the technical review of an application.

**EMERGENCY ORDER and AUTHORIZATION:** An immediate final order issued without notice by the Executive Director, with the concurrence and advice of the Governing Board, pursuant to (Section 373.119(2), Florida Statutes, when a situation arises that requires timely action to protect the public health, safety or welfare and other resources enumerated by rule and statute.

**MEMORANDUM OF AGREEMENT/UNDERSTANDING:** A contractual arrangement between the District and a named party or parties. This instrument typically is used to define or explain parameters of a long-term relationship and may establish certain procedures or joint operating decisions.

**PETITION:** An objection in writing to the District, requesting either a formal or an informal administrative hearing, regarding an agency action or a proposed agency action. Usually a petition filed pursuant to Chapter 120, Florida Statutes, challenges agency action, a permit, or a rule. Virtually all agency action is subject to petition by substantially affected persons.

**SEMINOLE TRIBE WORK PLAN:** The District and the Seminole Indians signed a Water Use Compact in 1987. Under the compact, annual work plans are submitted to the District for review and approval. This plan keeps the District informed about the tribe plans for use of their land and the natural resources. Although this is not a permit, the staff has water resource related input to this plan.

**SITE CERTIFICATIONS:** Certain types of projects (power plants, transmission lines, etc.) are permitted by the Governor and Cabinet under special one-stop permitting processes that supercede normal District permits. The Water Management Districts, DEP, DCA, FGFWFC, and other public agencies are mandatory participants. DEP usually coordinates these processes for the Governor and Cabinet.

**VARIANCES FROM, OR WAIVERS OF, PERMIT CRITERIA:** The Florida Administrative Procedures Act provides that persons subject to an agency rule may petition the agency for a variance from, or waiver of, a permitting rule. The Governing Board may grant a petition for variance or waiver when the petitioner demonstrates that 1) the purpose of the underlying statute will be or has been achieved by other means and, 2) when application of the rule would create a substantial hardship or would violate principles of fairness.

1. PERMITTEE: LEE COUNTY HOMES ASSOCIATES III, LLLP PERMIT NO. 36-04853-P-05  
PROJECT: MARINA BAY (FKA BOTANICA SOUTH) APPLICATION NO. 150921-14

SEC 10,11,14,15 TWP 45S RGE 25E

LEE COUNTY

APPROVE THE PARTIAL RELEASE OF A RECORDED CONSERVATION EASEMENT FOR A PROJECT KNOWN AS MARINA BAY (APPLICATION NO. 150921-14, PERMIT NO. 36-04853-P-05) IN LEE COUNTY.

SUMMARY:

LEE COUNTY HOMES ASSOCIATES III, LLLP IS REQUESTING A RELEASE OF 0.10 ACRES OF CONSERVATION EASEMENT TO CONSTRUCT A PRIVACY WALL ALONG A PORTION OF THEIR PROPERTY LINE THAT ABUTS I-75. NO MITIGATION IS PROPOSED TO OFFSET THIS CONSERVATION EASEMENT RELEASE, SINCE THE AREA TO BE RELEASED IS UPLAND. APPROXIMATELY 9.37 ACRES REMAIN PRESERVED UNDER THE EXISTING RECORDED CONSERVATION EASEMENT FOR CONSERVATION AREA 16.

2. PERMITTEE: DR HORTON INC PERMIT NO. 36-06833-P  
PROJECT: SAVONA BAY APPLICATION NO. 151218-22

SEC 35 TWP 45S RGE 23E

LEE COUNTY

APPROVE THE PARTIAL RELEASE OF A RECORDED CONSERVATION EASEMENT FOR A PROJECT KNOWN AS SAVONA BAY (APPLICATION NO. 151218-22, PERMIT NO. 36-06833-P) IN LEE COUNTY.

SUMMARY:

DR HORTON INC. IS REQUESTING A RELEASE OF 0.04 ACRES OF CONSERVATION EASEMENT, FOR THE INSTALLATION OF RIP RAP FOR SHORELINE STABILIZATION. THE APPLICANT IS PROVIDING 0.01 MITIGATION BANK CREDITS AS MITIGATION. APPROXIMATELY 12.91 ACRES REMAIN PRESERVED UNDER THE EXISTING RECORDED EASEMENT.

3. PERMITTEE: LENNAR HOMES LLC BASS ROAD PERMIT NO. 36-06233-P  
PROJECT: RESIDENTIAL PLANNED DEVELOPMENT APPLICATION NO. 160112-1

SEC 33 TWP 45S RGE 24E

LEE COUNTY

APPROVE THE AMENDMENT OF TWO RECORDED CONSERVATION EASEMENTS FOR A PROJECT KNOWN AS BASS ROAD RESIDENTIAL PLANNED DEVELOPMENT (APPLICATION NO. 160112-1, PERMIT NO. 36-05233-P) IN LEE COUNTY.

SUMMARY:

LENNAR HOMES, LLC IS REQUESTING AN AMENDMENT OF A CONSERVATION EASEMENT TO RELEASE AND ADD PORTIONS OF TWO CONSERVATION EASEMENTS FOR THE REALIGNMENT OF AN INTERNAL ROAD. THESE INCLUDE THE FOLLOWING: PRESERVE 1, WHICH TOTALS 9.928 ACRES, WOULD HAVE 0.044 ACRES RELEASED AND 0.263 ACRES ADDED, MAKING PRESERVE 1 A TOTAL OF 10.147 ACRES. PRESERVE 2, WHICH TOTALS 10.263 ACRES, WOULD HAVE 0.431 ACRES RELEASED AND 0.156 ACRES ADDED, MAKING PRESERVE 2 A TOTAL OF 9.988 ACRES. ALTHOUGH THE TOTAL PRESERVED AREA IS SLIGHTLY REDUCED, FEWER WETLAND IMPACTS WILL RESULT FROM THE RE-ALIGNED ROAD; THEREFORE NO ADDITIONAL MITIGATION IS PROPOSED. APPROXIMATELY 20.13 ACRES REMAIN PRESERVED UNDER THE EXISTING RECORDED EASEMENT.

4. PERMITTEE: LEO ABDELLA PERMIT NO. 43-01664-P  
PROJECT: CHRIST FELLOWSHIP APPLICATION NO. 151026-15

SEC 8,17 TWP 39S RGE 41E

MARTIN COUNTY

APPROVE THE PARTIAL RELEASE OF A RECORDED CONSERVATION EASEMENT FOR A PROJECT KNOWN AS CHRIST FELLOWSHIP (APPLICATION NO. 151026-15, PERMIT NO. 43-01664-P) IN MARTIN COUNTY.

SUMMARY:

THE APPLICANT IS REQUESTING THE RELEASE OF 15.19 ACRES OF A CONSERVATION EASEMENT TO RECONFIGURE THE PRESERVED AREAS SO THAT THEY ADHERE TO THE PREFERRED UPLAND PRESERVATION AREA REQUESTED BY MARTIN COUNTY BOARD OF COUNTY COMMISSIONERS. THE APPLICANT IS PROVIDING AN ADDITIONAL 5.2 ACRES OF UPLAND PRESERVATION TO OFFSET THE PROPOSED CHANGE IN PRESERVATION AREA. NO MITIGATION IS REQUIRED TO OFFSET THIS CONSERVATION EASEMENT RELEASE, AS THE AREA TO BE RELEASED WAS NOT PART OF A MITIGATION PLAN. APPROXIMATELY 77.03 ACRES REMAIN PRESERVED UNDER A NEW RECORDED EASEMENT.

5. PERMITTEE: BISHOP AND BUTTREY PERMIT NO. 48-01067-P  
 PROJECT: EXCAVATION NUMBER 104 / ORLANDO UTILITY APPLICATION NO. 160503-27  
 COMMISSION PARCEL 808  
 SEC 17 TWP 24S RGE 30E ORANGE COUNTY

APPROVE THE PARTIAL RELEASE OF A RECORDED CONSERVATION EASEMENT FOR A PROJECT  
 KNOWN AS EXCAVATION NUMBER 104 / ORLANDO UTILITY COMMISSION PARCEL 808  
 (APPLICATION NO. 160503-27, PERMIT NO. 48-01067-P) IN ORANGE COUNTY.

SUMMARY:

APPROVE THE RELEASE OF 0.03 ACRES OF CONSERVATION EASEMENT WITHIN A PROJECT  
 KNOWN AS EXCAVATION NUMBER 104/ ORLANDO UTILITY COMMISSION PARCEL 808 IN  
 ORANGE COUNTY. THIS PARCEL WAS ERRONEOUSLY INCLUDED WITHIN THE CONSERVATION  
 EASEMENT AREA. IT IS PART OF AN EXISTING DIRT ROAD. APPROXIMATELY 28.54  
 ACRES OF THE ORIGINAL CONSERVATION EASEMENT REMAIN.

6. PERMITTEE: SABAL TRAIL  
 PROJECT: SABAL TRAIL GAS PIPELINE

ORANGE/OSCEOLA COUNTIES

APPROVE THE PARTIAL RELEASE OF 21 RECORDED CONSERVATION EASEMENTS AND A CONSENT  
 TO ENCROACH WITHIN 22 CONSERVATION EASEMENTS FOR A PROJECT KNOWN AS SABAL TRAIL  
 GAS PIPELINE (FDEP PERMIT NUMBERS 328333-001 AND 328333-002) IN ORANGE AND  
 OSCEOLA COUNTIES.

SUMMARY:

SABAL TRAIL IS REQUESTING THE RELEASE OF A TOTAL OF 10.53 ACRES FROM 21 SEPARATE  
 CONSERVATION EASEMENTS FOR THE SABAL TRAIL GAS PIPELINE IN ORANGE AND OSCEOLA  
 COUNTIES. FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) PERMITS  
 AUTHORIZING CONSTRUCTION OF THE PIPELINE (PERMIT NUMBERS 328333-001 AND 328333-  
 002) HAVE BEEN ISSUED. MITIGATION FOR THE IMPACTS WITHIN THE SFWMD CONSERVATION  
 EASEMENTS WAS PROVIDED THROUGH THE PURCHASE OF 5.35 CREDITS FROM THE SOUTHPORT  
 RANCH MITIGATION BANK.

SABAL TRAIL IS ALSO SEEKING APPROVAL OF A CONSENT TO ENCROACH WITHIN 22 SEPARATE  
 CONSERVATION EASEMENTS. THESE AREAS WILL BE USED FOR TEMPORARY STAGING DURING  
 CONSTRUCTION OF THE PIPELINE AND THEN RESTORED TO ORIGINAL CONDITIONS AS  
 REQUIRED BY THE FDEP PERMITS CITED ABOVE.

7. PERMITTEE: 441 ACQUISITION LLC PERMIT NO. 50-11075-P  
 PROJECT: HYDER SQUARED (AKA LIBERTY TRUST) APPLICATION NO. 160219-6

SEC 19 TWP 46S RGE 42E

PALM BEACH COUNTY

APPROVE THE FULL RELEASE OF A RECORDED CONSERVATION EASEMENT FOR A PROJECT KNOWN AS HYDER SQUARED (AKA LIBERTY TRUST) (APPLICATION NO. 160219-6, PERMIT NO. 50-11075-P) IN PALM BEACH COUNTY.

SUMMARY:

441 ACQUISITION LLC IS REQUESTING RELEASE OF A 13.47 ACRE CONSERVATION EASEMENT TO CONSTRUCT A RESIDENTIAL DEVELOPMENT EAST OF HIGHWAY 441 AND SOUTH OF ATLANTIC AVENUE IN DELRAY BEACH. THE APPLICANT IS PROVIDING 7.9 FRESHWATER FORESTED MITIGATION BANK CREDITS AS MITIGATION.

Attachment: ca\_reg\_rm\_100\_sd(IV) (3033 : Regulatory Consent Agenda)

- 
1. CONCUR WITH THE SIXTH AMENDMENT TO THE TWENTY NINTH ANNUAL WORK PLAN FOR THE SEMINOLE TRIBE OF FLORIDA. THIS WORK PLAN IS THE PROCEDURAL MECHANISM UNDER WHICH THE DISTRICT ADDRESSES WATER USE, SURFACE WATER MANAGEMENT, NATURAL RESOURCE MANAGEMENT, WELL CONSTRUCTION, AND RIGHT OF WAY ACTIVITIES THE TRIBE PLANS TO UNDERTAKE. THIS MECHANISM WAS ESTABLISHED UNDER THE 1987 WATER RIGHTS COMPACT AMONG THE SEMINOLE TRIBE OF FLORIDA, THE STATE OF FLORIDA AND THE SFWMD (ALSO SEE SECTION 373.200, FLORIDA STATUTES).

SUMMARY:

UNDER THIS AMENDED WORK PLAN, THE FOLLOWING ACTIVITIES ARE PLANNED. WORKS IN THE HOLLYWOOD RESERVATION INCLUDE A PROPOSAL FOR THE CONSTRUCTION OF THE SEMINOLE CLASSIC CASINO PARKING LOT EXPANSION. THE EXPANDED PARKING AREA (6.23 ACRES) WILL ACCOMMODATE APPROXIMATELY 500 ADDITIONAL PARKING SPACES, INCLUDING A DRY RETENTION AREA.

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**M E M O R A N D U M**

**TO:** Governing Board Members

**FROM:** Karen Estock, Director, Field Operations & Land Management

**DATE:** July 14, 2016

**SUBJECT:** Right of Way - Regulatory Consent

**TABLE OF CONTENTS****RIGHT OF WAY OCCUPANCY CONSENT AGENDA FOR GOVERNING BOARD APPROVAL****July 14, 2016**

	<b>PAGES</b>
<b>I RIGHT OF WAY OCCUPANCY PERMIT REQUESTS FOR DENIAL:</b>	
Governing Board action is required for routine requests for permits which do not conform to applicable rules and criteria of Works and Lands of the District. Items are placed on this Consent Agenda when the staff's recommendation is for denial.	<b>2</b>

**Attachment: 2016-07 GB Agenda (3057 : Right of Way - Regulatory Consent)**

## RIGHT OF WAY OCCUPANCY PERMIT REQUESTS FOR DENIAL

Consideration of a request by Aneudi Sanchez (Application Number 14-0305-1) proposing a fence at the rear of 11400 Tara Drive, Plantation, Florida 33325, within the North New River Canal right of way in Broward County, Section 12, Township 50 South, Range 40 East.

Mr. Sanchez applied for a Right of Way Occupancy Permit ("ROW Permit") on March 5, 2014, for a fence enclosure at the rear of his property which abuts the North New River Canal. The District has an easement interest in this area. The fence enclosure would be located approximately 40 feet from the top of bank and would enclose five (5) existing trees which were installed within the Broward County Greenway Park Project pursuant to Right of Way Occupancy Permit No.13397. When Broward County learned that Mr. Sanchez proposed to enclose a portion of the greenway with a fence, including trees that had been installed at public expense, the County advised the District that it objected to issuance of the ROW Permit.

Accordingly, Mr. Sanchez was advised on May 6, 2014 that the District would not support issuance of the ROW Permit to enclose a portion of the District's right of way/County's greenway. Mr. Sanchez advised District staff on October 21, 2014 that he would contact the County and, if the County would not change its position, withdraw the application. Since then, the District has not heard from Mr. Sanchez. The District has made several attempts to follow up with Mr. Sanchez regarding his application, including letters sent by the District on January 21, 2015, December 23, 2015 and March 8, 2016. Notwithstanding, Mr. Sanchez has not responded to any of the District's attempts to communicate with him.

On May 6, 2016, the District sent a final letter to Mr. Sanchez advising him that his application will be scheduled for the July 14, 2016 meeting of the Governing Board with a recommendation for denial due to the applicant's failure to communicate with the District regarding the application. As of this writing, Mr. Sanchez has not responded to the letter. The letter was accompanied by the required notice of rights and sent via both regular and certified mail. A field inspection conducted on March 9, 2016, confirmed that no improvements were ever constructed in the right of way, so denial of the application by the Governing Board will not require any compliance action or adoption of an order to remove (improvements) and restore (the right of way).

Therefore, staff recommends **denial** of the application because the applicant has failed to provide information sufficient to demonstrate that the proposed use meets the criteria for the issuance of a Right of Way Occupancy Permit set forth in Rule 40E-6, Florida Administrative Code (F.A.C.).

(Easement)

Attachment: 2016-07 GB Agenda (3057 : Right of Way - Regulatory Consent)

## M E M O R A N D U M

**TO:** Governing Board Members

**FROM:** Richard Bassell, Division Director

**DATE:** July 14, 2016

**SUBJECT:** Release of Reservations

**Summary:**

The District has jurisdiction over certain reserved rights to construct canal and road right of ways, and mineral rights, together with the right of ingress, egress and exploration. Applications requesting releases of these reservations are routinely received from landowners, attorneys, title companies and lending institutions, who consider the reservations to be title defects. Applications are reviewed by appropriate District staff and applicable local governmental agencies to determine that there is no present or future need for the reservations.

**Staff Recommendation:**

Staff recommends approval of the following:

- Release of canal and road reservations, and issuance of non-use commitments for CF Weston Hills Arcis, LLC (File Nos. 5-16-3, 18689, 18690, NUC 1708, NUC 1709 and NUC 1710) for 351.05 acres in Broward County
- Release of canal reservations for Pembroke Towers, Ltd. (File No. 6-16-1) for 4.0 acres in Broward County
- Release of canal reservations for SunTrust Bank, as Trustee (File Nos. 6-16-3 and 18695) for 17.23 acres in Broward County
- Release of canal reservations for Church of Jesus Christ the Almighty, Inc. (File No. 6-16-4) for 3.03 acres in Miami-Dade County
- Release of canal reservations for Vera Brosnahan, Trustee (File No. 6-16-5) for 1.72 acres in Broward County
- Release of canal reservations for Andrew M. Skinner and Machel Ann Tenbroeck (File No. 6-16-6) for 2.35 acres in Miami-Dade County
- Release of canal and road reservations for Team Horner RE Holdings, LLC (File No. 18694) for 1.35 acres in Broward County

**Additional Background:**

See Memorandum Exhibit "A" and maps attached hereto and made a part hereof, which contain the details and locations of the releases and non-use commitment to be approved and issued.

**Core Mission and Strategic Priorities:**

Pursuant to Section 373.096 of the Florida Statutes, the Governing Board of the District may release any reservation for which it has no present or apparent use under terms and conditions determined by the Board.

**Funding Source:**

None; the reservations were acquired at no cost to the District.

**Staff Contact and/or Presenter:**

Kathy Massey, kmassey@sfwmd.gov, 561-682-6835

# SOUTH FLORIDA WATER MANAGEMENT DISTRICT

## Resolution No. 2016 - 0701

**A Resolution of the Governing Board of the South Florida Water Management District to approve release of canal and road reservations, and issuance of non-use commitments; providing an effective date.**

**WHEREAS**, certain underlying landowners have requested that the South Florida Water Management District (District) release certain canal and road reservations, and issue non-use commitments as to mineral reservations;

**WHEREAS**, the District is empowered to grant such releases and non-use commitments pursuant to Section 373.096, Florida Statutes;

**NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:**

**Section 1.** The Governing Board of the South Florida Water Management District hereby approves the release of canal and road reservations, and the issuance of non-use commitments, as described in Resolution Exhibit "A", attached hereto and made a part hereof.

**Section 2.** This Resolution shall take effect immediately upon adoption.

**PASSED** and **ADOPTED** this 14<sup>th</sup> day of July, 2016.

SOUTH FLORIDA WATER MANAGEMENT  
DISTRICT, BY ITS GOVERNING BOARD

By:

\_\_\_\_\_  
Chairman

Attest:

Legal form approved:

By:

\_\_\_\_\_  
District Clerk/Secretary

\_\_\_\_\_  
Office of Counsel

Print name:

**RESOLUTION - EXHIBIT "A"**

File Nos.: 5-16-3, 18689, 18690, NUC 1708, NUC 1709 and NUC 1710  
 Applicant: CF Weston Hills Arcis LLC, a Delaware limited liability company  
 Reserving Deeds: 16571 (DB 7-576, 9/24/1917, NBDD (DB 142-270, 2/3/1926), NBDD (DB 468-377, 12/15/1944), NBDD (DB 469-484, 12/15/1944), E-1525 (DB 463-507, 10/16/1944), E-2225 (DB 470-314, 1/16/1945), E-2228 (DB 470-322, 1/16/1945), E-3257 (DB 491-283, 6/29/1945) and QCD (DB 472-239, 12/11/1944)  
 Action: Release canal and road reservations, and issue non-use commitments  
 Acres: 351.05 acres, more or less  
 Legal Description: Portions of PB 140-23, PB 144-35, PB 151-41, PB 153-30, PB 156-23, PB 157-38 and PB 161-6, Sections 12, 13 and 24, Township 50 South, Range 39 East, and Section 19, Township 50 South, Range 40 East  
 Location: 2600 Country Club Way, Weston, Broward County

File No.: 6-16-1  
 Applicant: Pembroke Towers, Ltd., a Florida limited partnership  
 Reserving Deed: 16160 (DB 49D-213, 6/29/1909)  
 Action: Release canal reservations  
 Acres: 4.0 acres, more or less  
 Legal Description: A portion of Tract 23, A.J. BENDLE SUBDIVISION, PB 1D-27, Section 10, Township 51 South, Range 41 East  
 Location: 2201 North University Drive, Pembroke Pines, Broward County

File Nos.: 6-16-3 and 18695  
 Applicant: SunTrust Bank, as Trustee under Land Trust Agreement No. 56-02-137-6900246 dated July 10, 2003  
 Reserving Deeds: 16160 (DB 49-213, 6/4/1908) and T-1152 (DB 43-137, 12/15/1924)  
 Action: Release canal reservations  
 Acres: 17.23 acres, more or less  
 Legal Description: A portion of Parcel A, PEMBROKE PINES CITY CENTER, PB 176-86, Section 18, Township 51 South, Range 41 East  
 Location: Vacant land at the SW corner of Pines Boulevard and West Palm Avenue, Pembroke Pines, Broward County

File No.: 6-16-4  
 Applicant: Church of Jesus Christ the Almighty, Inc., a Florida non-profit corporation  
 Reserving Deed: 16296"C" (DB 177-129, 4/17/1918)  
 Action: Release canal reservations  
 Acres: 3.03 acres, more or less  
 Legal Description: A portion of Tract 8, CHAMBERS LAND COMPANY'S SUBDIVISION, PB 2-68, Section 34, Township 524 South, Range 40 East  
 Location: 6050 West 20<sup>th</sup> Avenue, Hialeah, Miami-Dade County

File No.: 6-16-5  
 Applicant: Vera Brosnahan, Trustee of the Vera Brosnahan Declaration of Trust dated September 4, 2009  
 Reserving Deeds: 16568 (DB 13-119, 11/30/1920) and 16718 (DB 47-276, 5/11/1923)  
 Action: Release canal reservations

**RESOLUTION - EXHIBIT "A" (cont'd)**

Acres: 1.72 acres, more or less  
 Legal Description: Lots 16 and 17, FERNCREST INDUSTRIAL PARK, PB 113-50, Section 24, Township 50 South, Range 41 East  
 Location: 3450 SW 49<sup>th</sup> Way, Davie, Broward County

File No.: 6-16-6  
 Applicant: Andrew M. Skinner and Machel Ann Tenbroeck  
 Reserving Deed: 16189 (DB 46-252, 10/26/1908, Corrective DB 65-357, 5/14/1912))  
 Action: Release canal reservations  
 Acres: 2.35 acres, more or less  
 Legal Description: A portion of Lot 8, Block 2, TATUM BRO'S REAL ESTATE & INVESTMENT CO'S SUBDIVISION, PB 1-102, Section 11, Township 52 South, Range 39 East  
 Location: 13600 NW 182<sup>nd</sup> Street, Miami, Miami-Dade County

File No.: 18694  
 Applicant: Team Horner RE Holdings, LLC, a Florida limited liability company  
 Reserving Deed: E-2253 (DB 470-396, 1/16/1945)  
 Action: Release canal and road reservations  
 Acres: 1.35 acres, more or less  
 Legal Description: Lots 22, 23 and 24, ATLANTIC COAST EXECUTIVE INDUSTRIAL PARK, PB 100-48, Section 9, Township 49 South, Range 42 East  
 Location: 6500 NW 15<sup>th</sup> Way, Fort Lauderdale, Broward County



**MEMORANDUM - EXHIBIT "A"**

File Nos.: 5-16-3, 18689, 18690, NUC 1708, NUC 1709 and NUC 1710  
 Applicant: CF Weston Hills Arcis LLC, a Delaware limited liability company  
 Reserving Deeds: 16571 (DB 7-576, 9/24/1917, NBDD (DB 142-270, 2/3/1926), NBDD (DB 468-377, 12/15/1944), NBDD (DB 469-484, 12/15/1944), E-1525 (DB 463-507, 10/16/1944), E-2225 (DB 470-314, 1/16/1945), E-2228 (DB 470-322, 1/16/1945), E-3257 (DB 491-283, 6/29/1945) and QCD (DB 472-239, 12/11/1944)  
 Fee Paid: \$11,000.00  
 Action: Release canal and road reservations, and issue non-use commitments  
 Acres: 351.05 acres, more or less  
 Legal Description: Portions of PB 140-23, PB 144-35, PB 151-41, PB 153-30, PB 156-23, PB 157-38 and PB 161-6, Sections 12, 13 and 24, Township 50 South, Range 39 East, and Section 19, Township 50 South, Range 40 East  
 Location: 2600 Country Club Way, Weston, Broward County  
 Reviewed By: Water Supply Development Section, Right of Way Section, Environmental Resource Permitting Bureau, Survey Section, Office of Everglades Policy and Coordination, Florida Department of Transportation, Broward County Engineering, City of Weston, and Indian Trace Community Development District

File No.: 6-16-1  
 Applicant: Pembroke Towers, Ltd., a Florida limited partnership  
 Reserving Deed: 16160 (DB 49D-213, 6/29/1909)  
 Fee Paid: \$250.00  
 Action: Release canal reservations  
 Acres: 4.0 acres, more or less  
 Legal Description: A portion of Tract 23, A.J. BENDLE SUBDIVISION, PB 1D-27, Section 10, Township 51 South, Range 41 East  
 Location: 2201 North University Drive, Pembroke Pines, Broward County  
 Reviewed By: Water Supply Development Section, Right of Way Section, Environmental Resource Permitting Bureau, Survey Section, Office of Everglades Policy and Coordination, and South Broward Drainage District

File Nos.: 6-16-3 and 18695  
 Applicant: SunTrust Bank, as Trustee under Land Trust Agreement No. 56-02-137-6900246 dated July 10, 2003  
 Reserving Deeds: 16160 (DB 49-213, 6/4/1908) and T-1152 (DB 43-137, 12/15/1924)  
 Fee Paid: \$500.00  
 Action: Release canal reservations  
 Acres: 17.23 acres, more or less  
 Legal Description: A portion of Parcel A, PEMBROKE PINES CITY CENTER, PB 176-86, Section 18, Township 51 South, Range 41 East  
 Location: Vacant land at the SW corner of Pines Boulevard and West Palm Avenue, Pembroke Pines, Broward County  
 Reviewed by: Water Supply Development Section, Right of Way Section, Environmental Resource Permitting Bureau, Survey Section, Office of Everglades Policy and Coordination, and South Broward Drainage District

**MEMORANDUM - EXHIBIT "A" (cont'd)**

File No.: 6-16-4  
 Applicant: Church of Jesus Christ the Almighty, Inc., a Florida non-profit corporation  
 Reserving Deed: 16296"C" (DB 177-129, 4/17/1918)  
 Fee Paid: \$250.00  
 Action: Release canal reservations  
 Acres: 3.03 acres, more or less  
 Legal Description: A portion of Tract 8, CHAMBERS LAND COMPANY'S SUBDIVISION, PB 2-68, Section 34, Township 52 South, Range 40 East  
 Location: 6050 West 20<sup>th</sup> Avenue, Hialeah, Miami-Dade County  
 Reviewed By: Water Supply Development Section, Right of Way Section, Environmental Resource Permitting Bureau, Survey Section, Office of Everglades Policy and Coordination, and Miami-Dade County DERM Water Control Section

File No.: 6-16-5  
 Applicant: Vera Brosnahan, Trustee of the Vera Brosnahan Declaration of Trust dated September 4, 2009  
 Reserving Deeds: 16568 (DB 13-119, 11/30/1920) and 16718 (DB 47-276, 5/11/1923)  
 Fee Paid: \$500.00  
 Action: Release canal reservations  
 Acres: 1.72 acres, more or less  
 Legal Description: Lots 16 and 17, FERNCREST INDUSTRIAL PARK, PB 113-50, Section 24, Township 50 South, Range 41 East  
 Location: 3450 SW 49<sup>th</sup> Way, Davie, Broward County  
 Reviewed By: Water Supply Development Section, Right of Way Section, Environmental Resource Permitting Bureau, Survey Section, Office of Everglades Policy and Coordination, and Tindall Hammock Irrigation and Soil Conservation District

File No.: 6-16-6  
 Applicant: Andrew M. Skinner and Machel Ann Tenbroeck  
 Reserving Deed: 16189 (DB 46-252, 10/26/1908, Corrective DB 65-357, 5/14/1912))  
 Fee Paid: \$250.00  
 Action: Release canal reservations  
 Acres: 2.35 acres, more or less  
 Legal Description: A portion of Lot 8, Block 2, TATUM BRO'S REAL ESTATE & INVESTMENT CO'S SUBDIVISION, PB 1-102, Section 11, Township 52 South, Range 39 East  
 Location: 13600 NW 182<sup>nd</sup> Street, Miami, Miami-Dade County  
 Reviewed By: Water Supply Development Section, Right of Way Section, Environmental Resource Permitting Bureau, Survey Section, Office of Everglades Policy and Coordination, and Miami-Dade County DERM Water Control Section

File No.: 18694  
 Applicant: Team Horner RE Holdings, LLC, a Florida limited liability company  
 Reserving Deed: E-2253 (DB 470-396, 1/16/1945)  
 Fee Paid: \$250.00  
 Action: Release canal and road reservations  
 Acres: 1.35 acres, more or less

Legal Description: Lots 22, 23 and 24, ATLANTIC COAST EXECUTIVE INDUSTRIAL  
PARK, PB 100-48, Section 9, Township 49 South, Range 42 East  
Location: 6500 NW 15<sup>th</sup> Way, Fort Lauderdale, Broward County  
Reviewed By: Water Supply Development Section, Right of Way Section, Environmental  
Resource Permitting Bureau, Survey Section, Office of Everglades Policy  
and Coordination, Broward Water Control District #4, Broward County  
Engineering, and Florida Department of Transportation

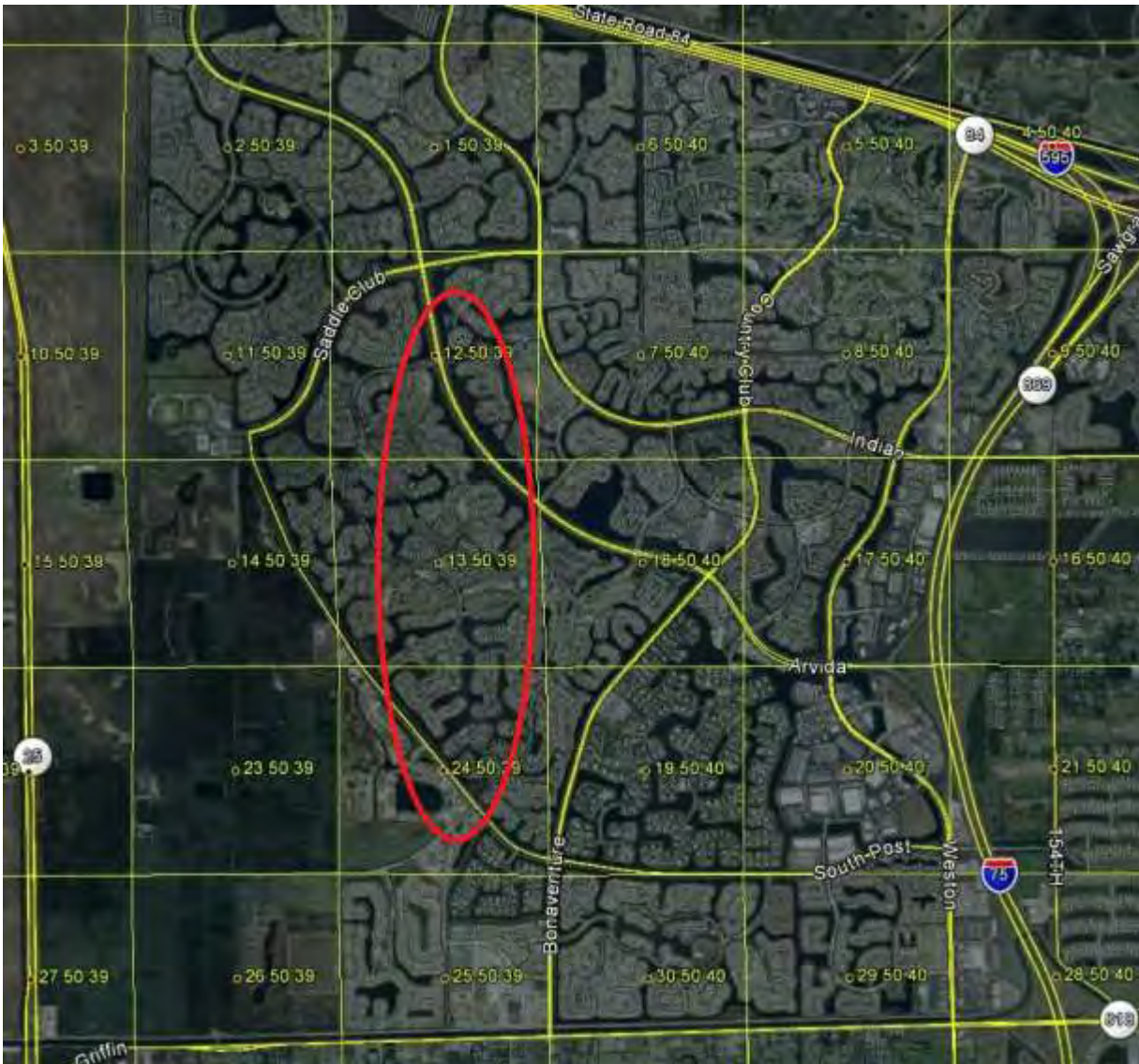
**File Nos. 5-16-3, 18689, 18690, NUC 1708, NUC 1709 and NUC 1710  
 CF Weston Hills Arcis LLC, 351.05+/- acres  
 2600 Country Club Way, Weston, Broward County**





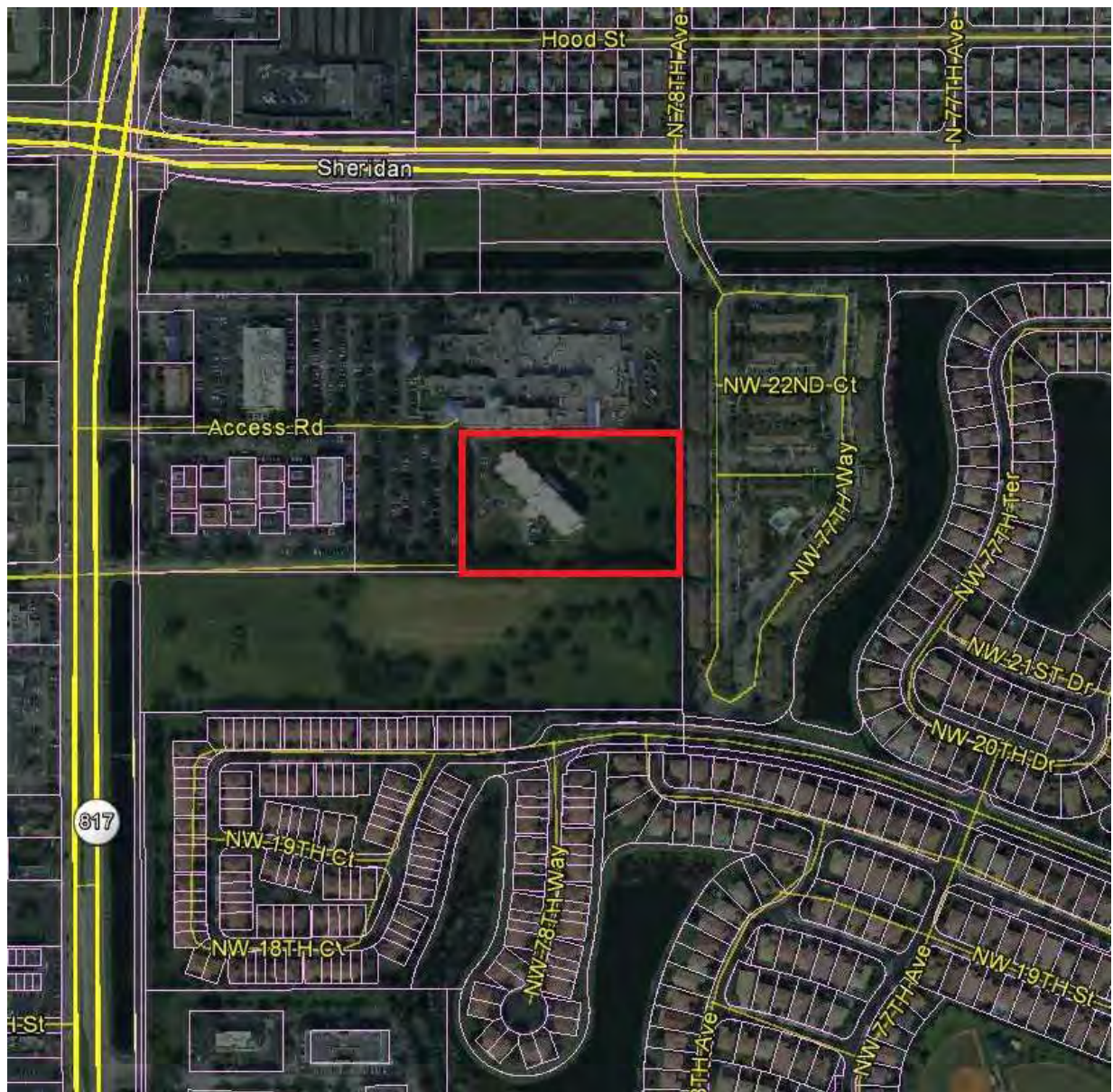
**File Nos. 5-16-3, 18689, 18690, NUC 1708, NUC 1709 and NUC 1710  
CF Weston Hills Arcis LLC, 351.05+/- acres  
2600 Country Club Way, Weston, Broward County**

**Property Location: 1.75+/- miles South of I-595 (State Road 84), 2.0+/- miles West of I-75, 1.0+/- mile North of Griffin Road (State Road 818) and 1.50+/- miles East of US Hwy. 27 (State Road 25)**





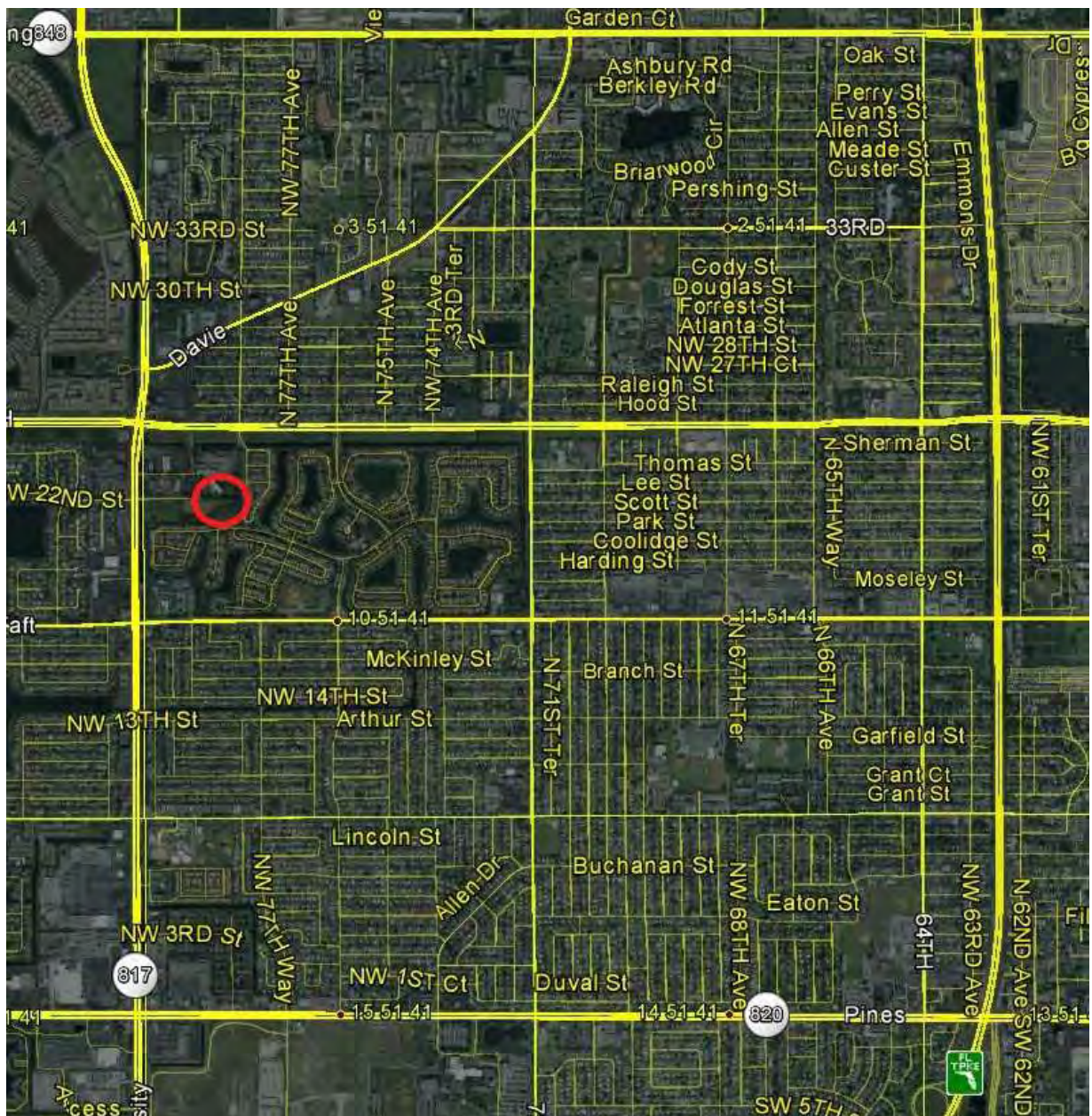
**File No. 6-16-1**  
**Pembroke Towers, Ltd., 4.0+/- acres**  
**2201 North University Drive, Pembroke Pines, Broward County**





**File No. 6-16-1**  
**Pembroke Towers, Ltd., 4.0+/- acres**  
**2201 North University Drive, Pembroke Pines, Broward County**

**Property Location:** On the East side of University Drive (State Road 817), 1.0+/- South of Sterling Road (State Road 848), 2.0+/- miles West of Florida's Turnpike and 1.25+/- North of Pines Blvd. (State Road 820)



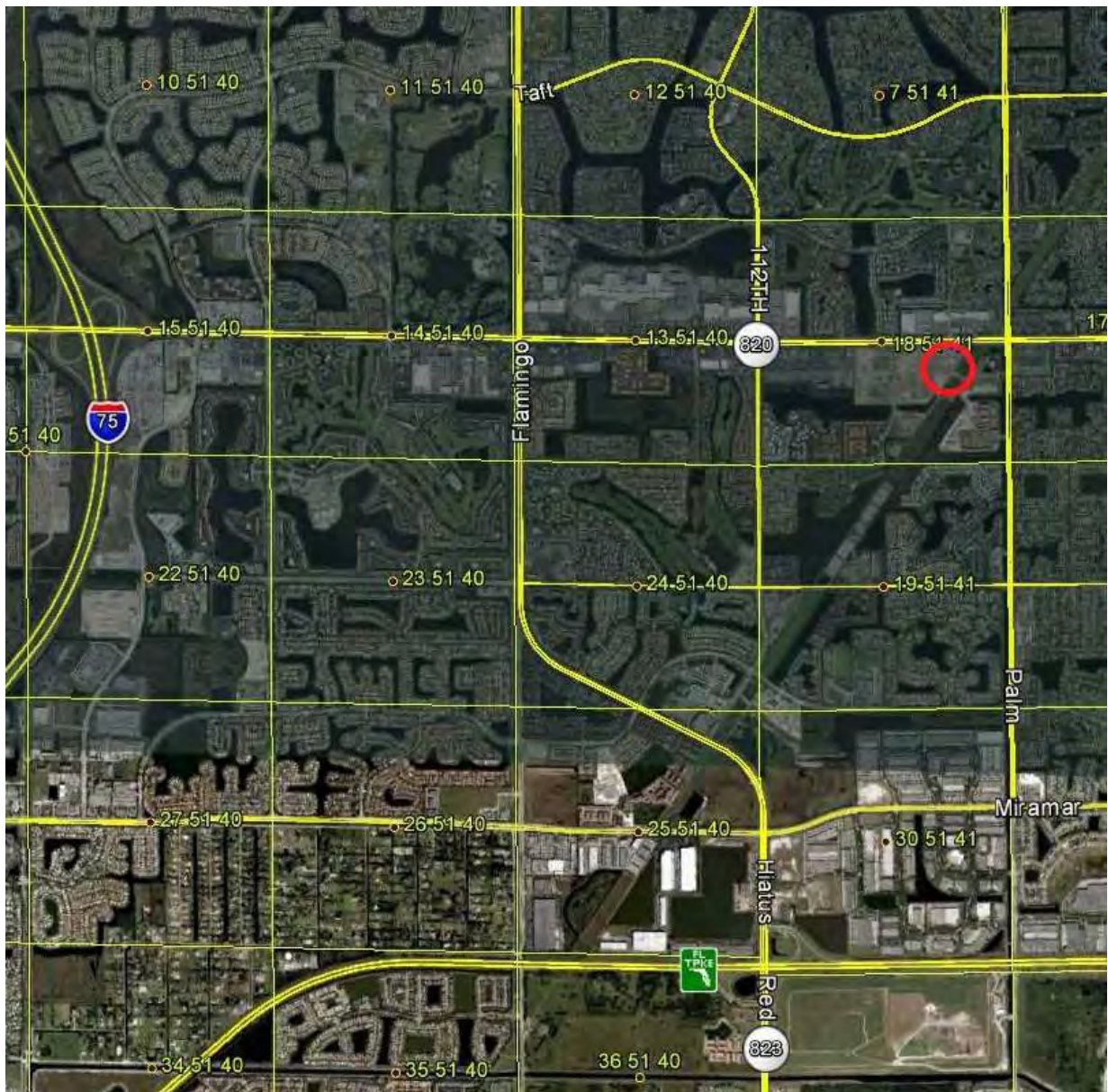


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**File Nos. 6-16-3 and 18695  
SunTrust Bank, as Trustee, 17.23+/- acres  
Vacant land at SW corner of Pines Blvd. and W. Palm Avenue  
Pembroke Pines, Broward County**

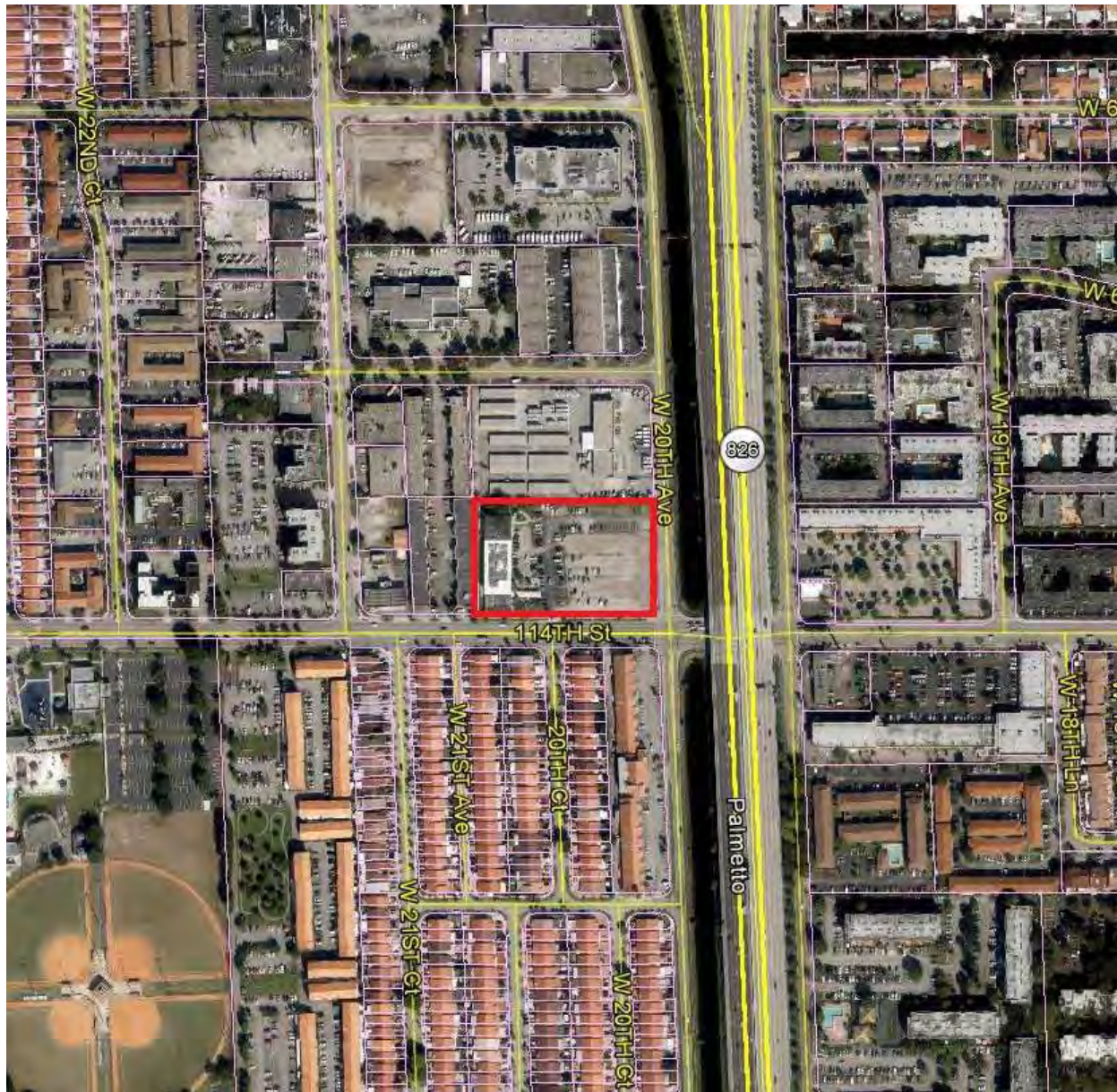
**Property Location: At the Southwest corner of Pines Blvd. (State Road 820) and W. Palm Avenue, 2.50+/- miles North of the Extension of Florida's Turnpike and 3.50+/- miles East of I-75**



Attachment: ca\_re\_200\_Memorandum\_Maps\_Massey\_Release\_of\_Reservations (Resolution No. 2016 - 0701 : Release of Reservations)



**File No. 6-16-4**  
**Church of Jesus Christ the Almighty, Inc., 3.03+/- acres**  
**6050 West 20th Avenue, Hialeah, Miami-Dade County**



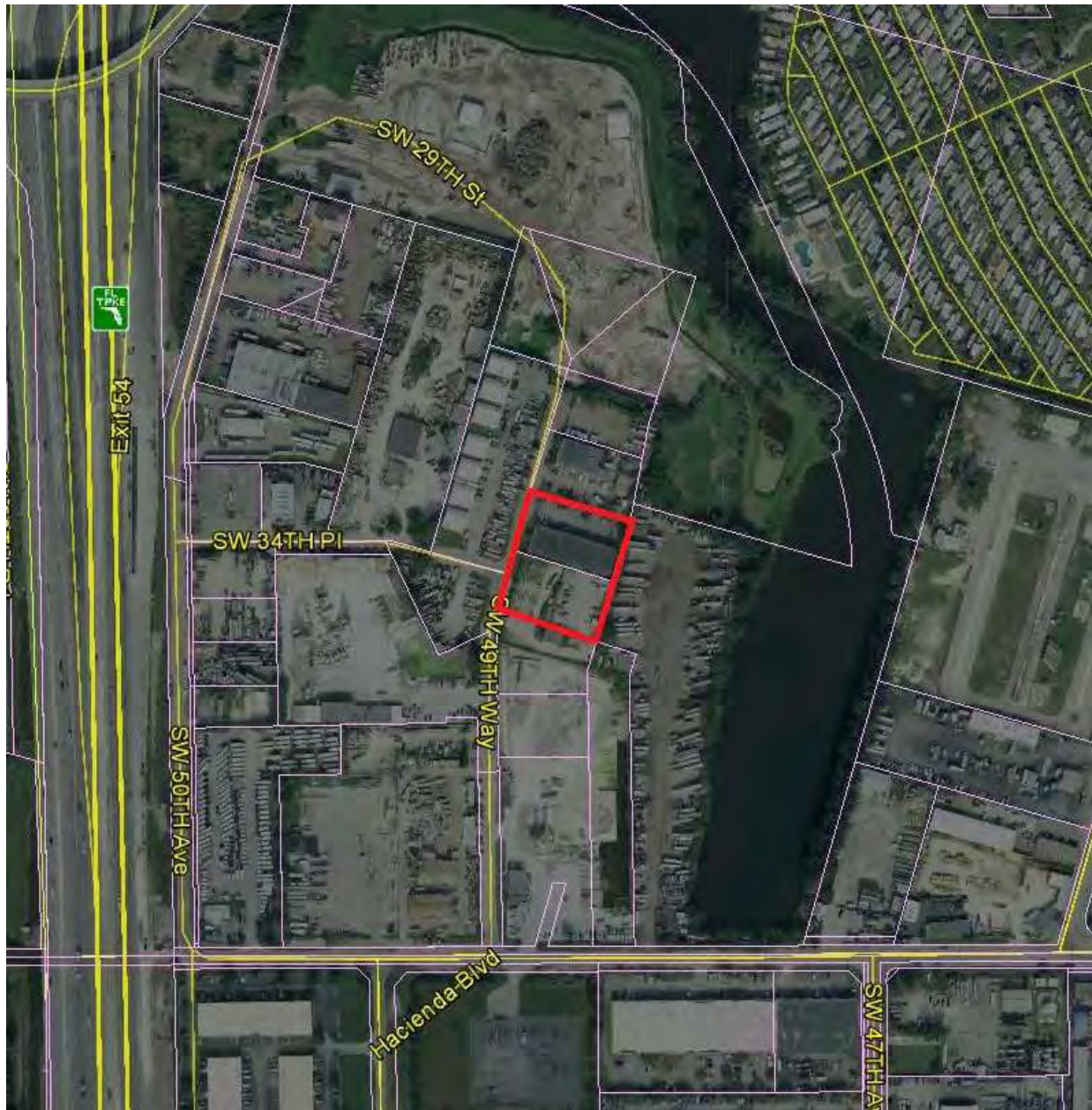
Attachment: ca\_re\_200\_Memorandum\_Maps\_Massey\_Release\_of\_Reservations (Resolution No. 2016 - 0701 : Release of Reservations)







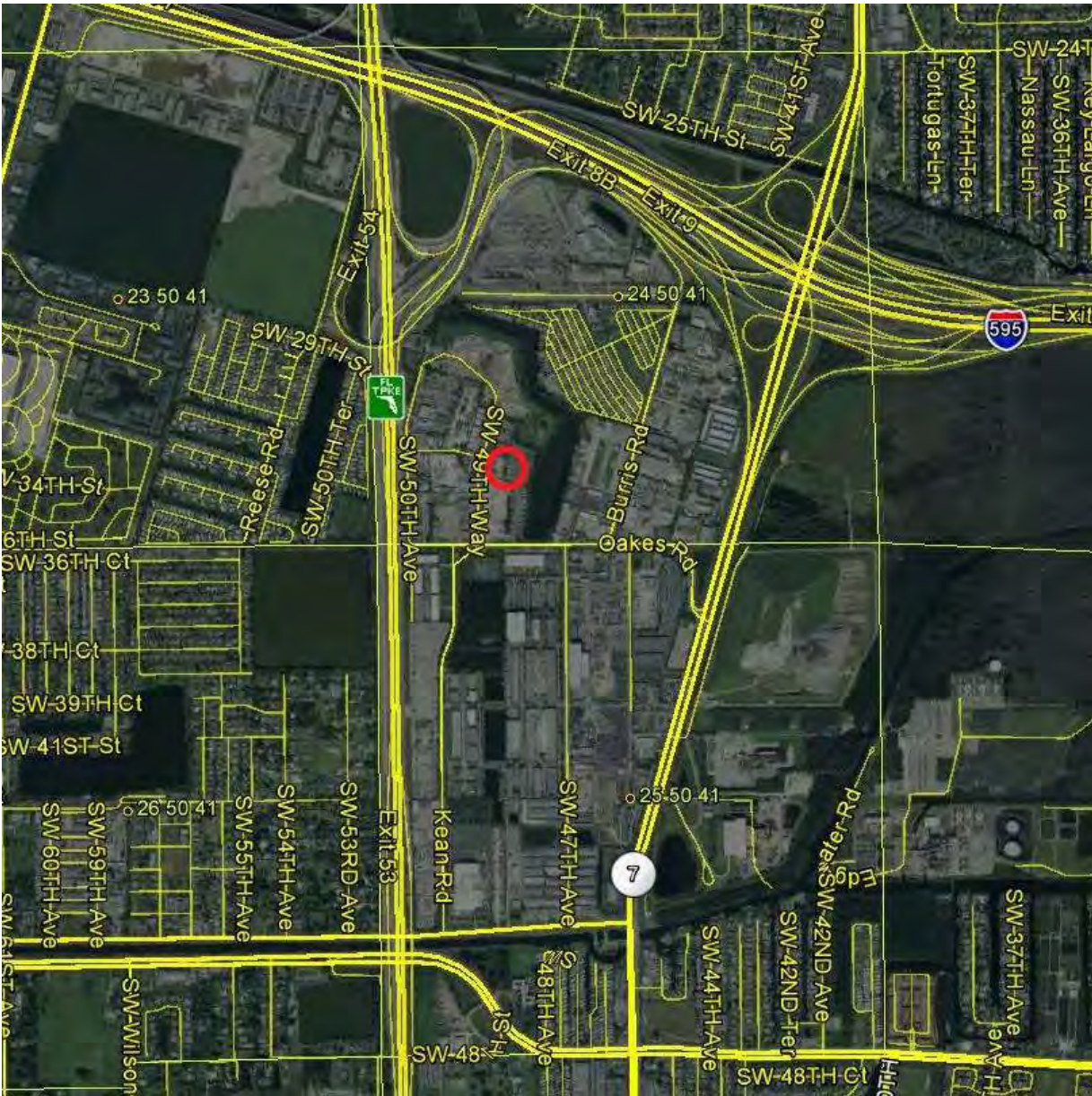
**File No. 6-16-5**  
**Vera Brosnahan, Trustee, 1.72+/- acres**  
**3450 SW 49th Way and vacant lot on SW 34th Place, Davie, Broward County**





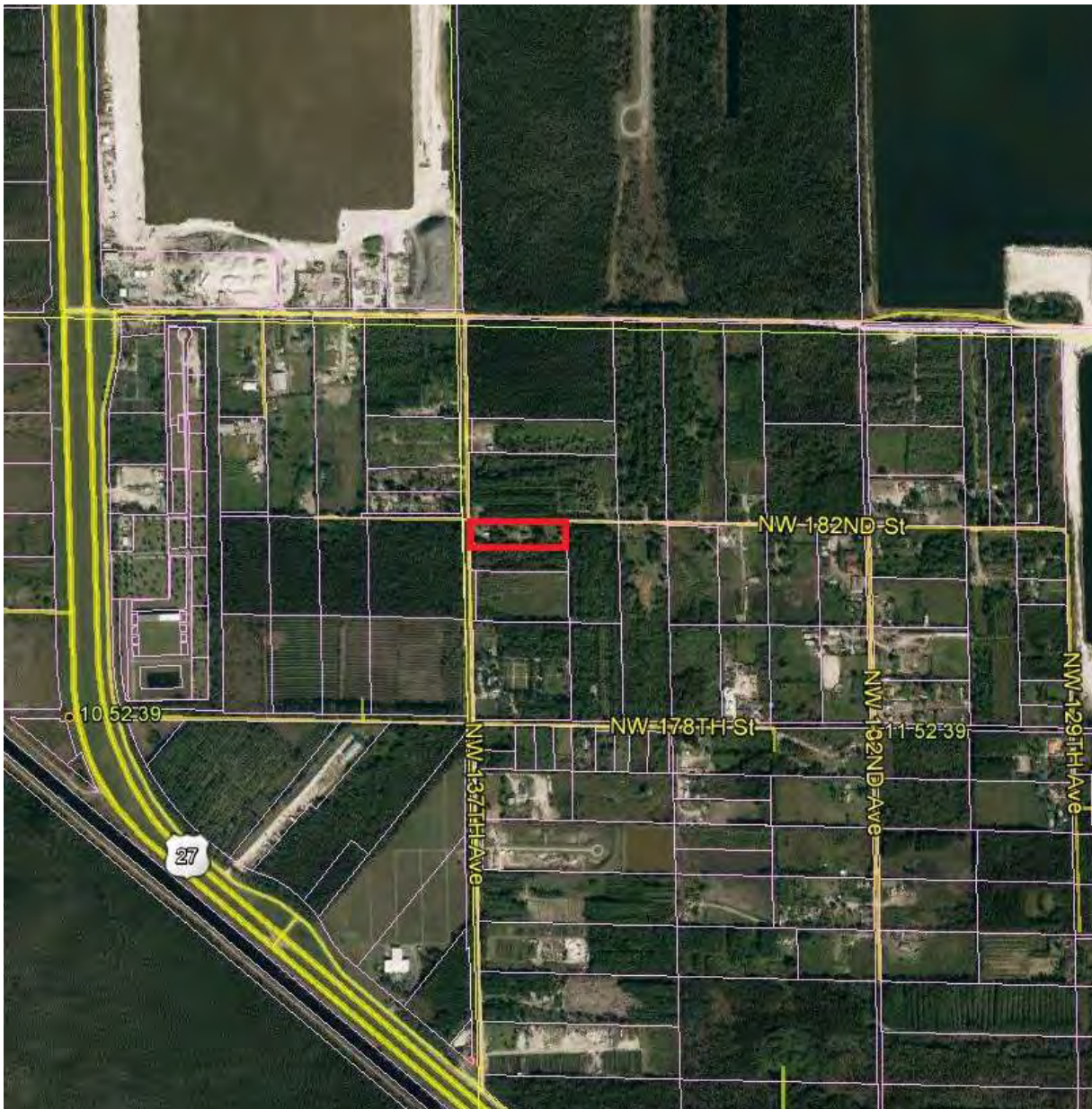
**File No. 6-16-5**  
**Vera Brosnahan, Trustee, 1.72+/- acres**  
**3450 SW 49th Way, Davie, Broward County**

**Property Location: 0.50+/- South of I-595, 0.50+/- mile West of US Highway 441 (State Road 7), 1.0+/- North of Griffin Road (State Road 818) and 0.25+/- mile East of Florida's Turnpike**





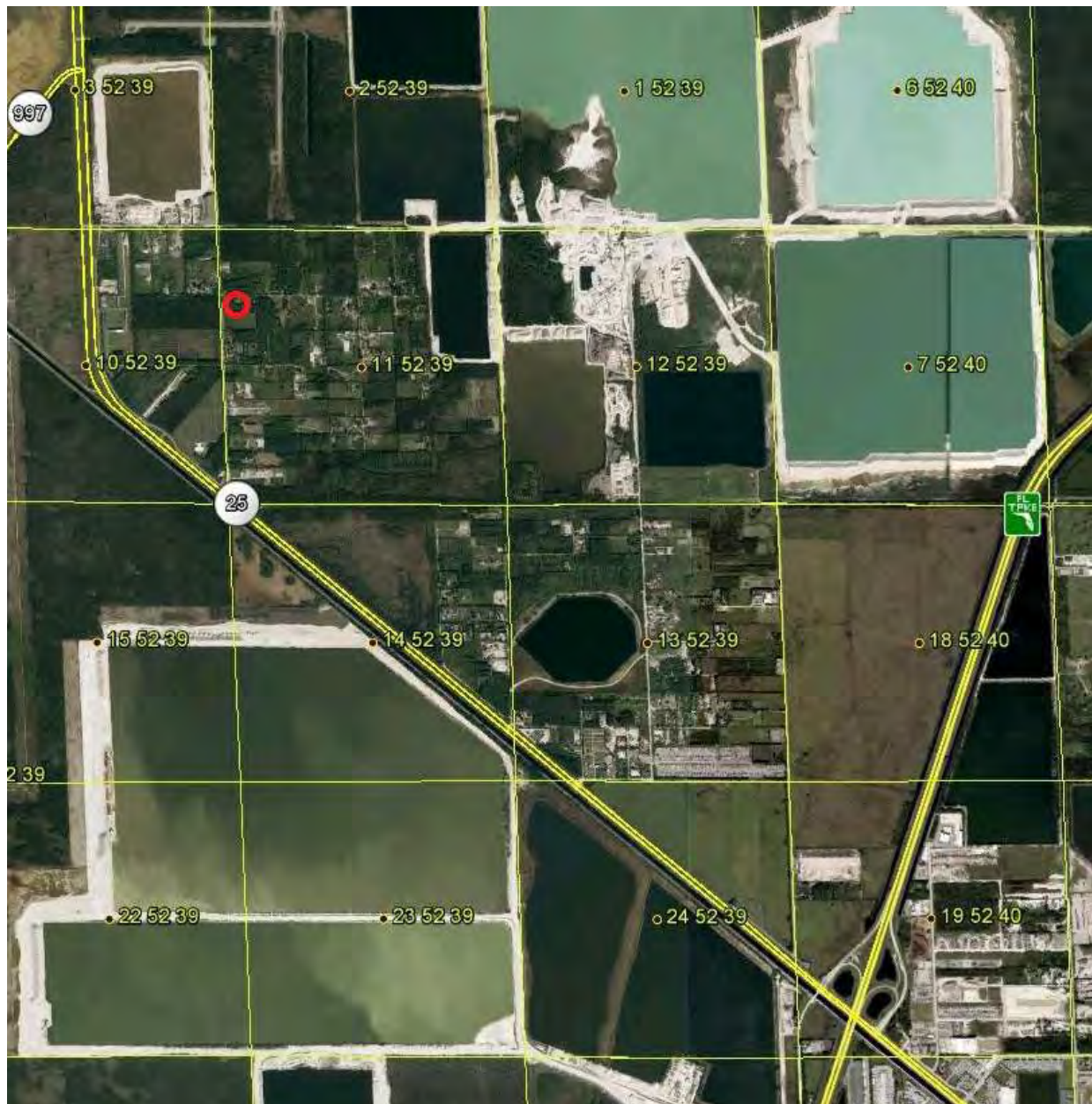
**File No. 6-16-6**  
**Andrew M. Skinner and Machele Ann Tenbroeck, 2.35+/- acres**  
**13600 NW 182nd Street, Miami, Miami-Dade County**





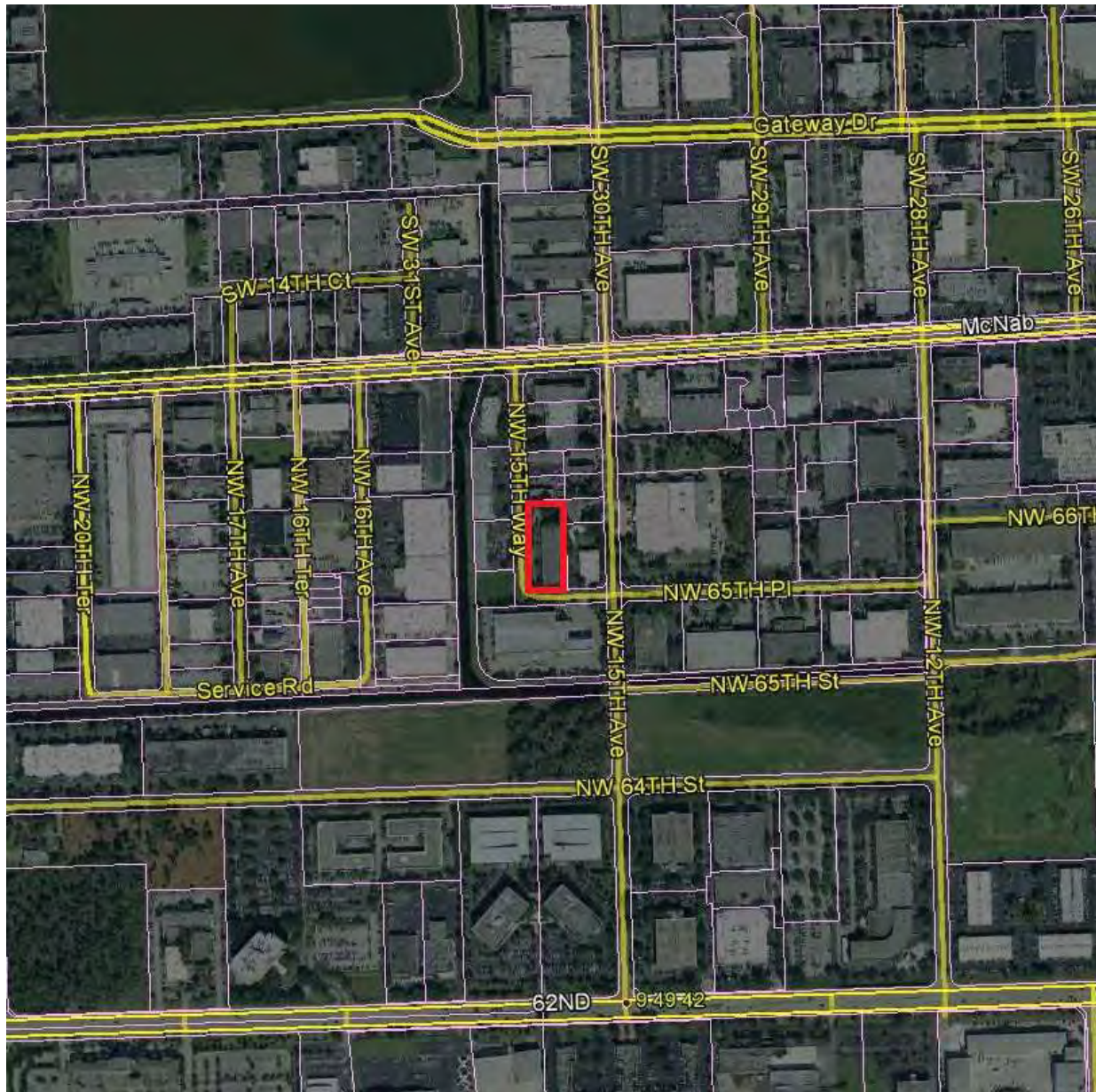
**File No. 6-16-6**  
**Andrew M. Skinner and Machele Ann Tenbroeck, 2.35+/- acres**  
**13600 NW 182nd Street, Miami, Miami-Dade County**

**Property Location: 1.25+/- miles South of Bass Creek Road, 3.50+/- miles West of the Extension of Florida's Turnpike and 0.50+/- East of US Highway 27 (State Road 25)**





**File No. 18694**  
**Team Horner RE Holdings, LLC, 1.35+/- acres**  
**6500 NW 15th Way, Fort Lauderdale, Broward County**

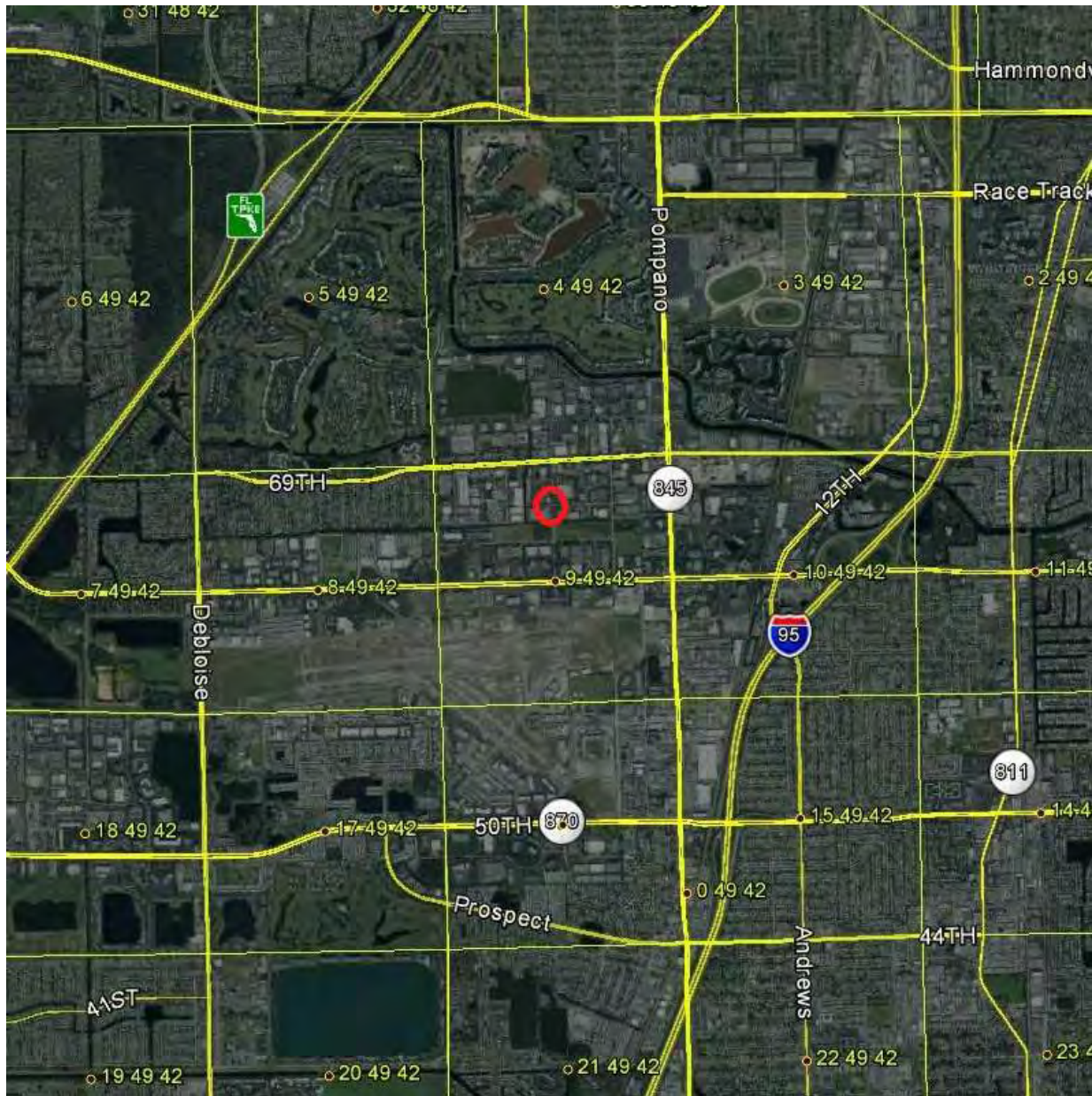


Attachment: ca\_re\_200\_Memorandum\_Maps\_Massey\_Release\_of\_Reservations (Resolution No. 2016 - 0701 : Release of Reservations)



**File No. 18694**  
**Team Horner RE Holdings, LLC, 1.35+/- acres**  
**6500 NW 15th Way, Fort Lauderdale, Broward County**

**Property Location: 0.25+/- mile South of McNab Road, 0.50+/- mile West of Powerline Road (State Road 845), 0.50+/- mile North of Cypress Creek Road and 2.0+/- East of Florida's Turnpike**



## MEMORANDUM

**TO:** Governing Board Members

**FROM:** Richard Bassell, Division Director

**DATE:** July 14, 2016

**SUBJECT:** Approval of Release of Portions of an Access Road Easement to the FDOT

**Summary:**

Florida Department of Transportation (FDOT) is currently widening a portion of State Road 80 in Hendry County. FDOT is requesting that an existing access road to the C-43 (Caloosahatchee Canal) be rerouted to accommodate their project. The District will release a portion of the existing access road easement containing 3.64 +/- acres, located in Sections 6 and 7, Township 43 South, Range 32 East. In exchange, FDOT will grant the District a new Access Road Easement containing 0.83 +/- acres. (FDOT right of way maps attached hereto as Exhibit "A")

**Core Mission and Strategic Priorities:**

Pursuant to Section 373.056, Florida Statutes, the Governing Board has the authority to convey to any governmental entity land, or rights in land, owned by the District not required for its purposes, subject to terms and conditions approved by the Governing Board.

**Funding Source:**

The portion of the access easement to be released was acquired for \$154 in November 1968. Since the relocation of the access easement is in the best interest of the District and the public, and will allow FDOT to complete the necessary road and canal improvements to State Road 80, staff recommends waiver of the application fee. FDOT will pay all costs and fees associated with this transaction.

**Staff Contact and/or Presenter:**

Kathy Massey, kmassey@sfwmd.gov, ext. 6835

## SOUTH FLORIDA WATER MANAGEMENT DISTRICT

### Resolution No. 2016 - 0702

**A Resolution of the Governing Board of the South Florida Water Management District to approve the release of an access easement containing 3.64 acres, more or less, in exchange for a relocated access easement containing 0.83 acres, more or less, C-43 (Caloosahatchee River) Project, located in Sections 6 and 7, Township 43 South, Range 32 East, Hendry County, subject to satisfaction of certain terms, conditions and requirements; providing an effective date.**

**WHEREAS**, pursuant to a request from the Applicants, Florida Department of Transportation ("FDOT"), the District has been requested to relocate an existing access road easement to accommodate the Applicant's State Road 80 Expansion project in Sections 6 and 7, Township 43 South, Range 32 East, Hendry County. The portion of the existing access easement to be released contains 3.64 acres, more or less, and the new access easement contains 0.83 acres, more or less; and

**WHEREAS**, upon the satisfaction of certain terms, conditions and requirements, the Governing Board has determined that 3.64 +/- acre parcel to be released is not required by the District for present or apparent future use; and

**WHEREAS**, since the relocation of the access easement is in the best interest of the District and the public, and will allow FDOT to complete the necessary road and canal improvements to State Road 80, staff recommends waiver of the application fee; and

**WHEREAS**, the Governing Board, pursuant to Section 373.056 of the Florida Statutes, has the authority to convey to any governmental entity, land or rights in land owned by the District not required for its purposes, under terms and conditions determined by the Governing Board.

**NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:**

**Section 1:** The Governing Board of the South Florida Water Management District has determined that the District has no present or apparent future use for the subject access easement area to be released and therefore hereby approves releasing to the Applicant 3.64 +/- acres, more or less, from the current easement area, in exchange for accepting a relocated access road easement containing 0.83 +/- acres, located in Sections 6 and 7, Township 43 South, Range 32 East, Hendry County, provided all of the following terms, conditions, and requirements are satisfied to the satisfaction of the District, in its sole and absolute discretion:

- a. The underlying fee owner shall convey to the District a perpetual access road easement with respect to the subject relocated access easement area containing 0.83 +/- acres in form, content and substance acceptable to the District, free and clear of all encumbrances, liens, and other objectionable matters.
- b. Applicant must provide a legal description and sketch for each instrument, subject to District review and approval.
- c. All costs associated with this transactions shall be paid for by the Applicant, including but not limited to all recording costs, and under no circumstances shall the District be obligated to pay any amount to the

- Applicant or otherwise in connection with this transaction.
- d. All of the foregoing terms, conditions, and requirements set forth in subparagraphs (a.) through (c.), inclusive, must be satisfied to the satisfaction of the District in its sole and absolute discretion no later than December 31, 2016.

**Section 2:** The Governing Board of the South Florida Water Management District hereby authorizes the Chairman to execute the release document. No release instrument shall be delivered to the Applicant/underlying fee owner, or shall be effective, until all of the foregoing requirements have been fully completed and fulfilled to the District's satisfaction, and such release has been recorded in the Public Records of Hendry County. The District application fee shall be waived.

**Section 3:** This Resolution shall take effect immediately upon adoption.

**PASSED** and **ADOPTED** this 14<sup>th</sup> day of July, 2016.

SOUTH FLORIDA WATER MANAGEMENT  
DISTRICT, BY ITS GOVERNING BOARD  
By:

\_\_\_\_\_  
Chairman

Attest:

Legal form approved:  
By:

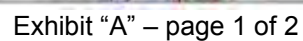
\_\_\_\_\_  
District Clerk/Secretary

\_\_\_\_\_  
Office of Counsel

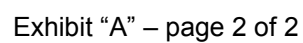
Print name:  
  
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Attachment: ca\_re\_210\_Exh\_A\_Massey\_DOT\_Exchange (Resolution No. 2016 - 0702 : Approval of Release of Portions of an Access Road



Attachment: ca\_re\_210\_Exh\_A\_Massey\_DOT\_Exchange (Resolution No. 2016 - 0702 : Approval of Release of Portions of an Access Road



**MEMORANDUM**

**TO:** Governing Board Members

**FROM:** Richard Bassell, Division Director

**DATE:** July 14, 2016

**SUBJECT:** Approve declaring surplus land interests containing a total of 1.76 acres, +/-, in Collier County

**Summary:**

District staff has analyzed the options for disposal of that certain parcel of land containing 1.76 acres, more or less, located in Collier County identified as Tract OB100-001 (the "Tract"), as shown on the attached Exhibit "A". The Tract was acquired and developed for use as the Big Cypress Basin field station, consisting of an office building and warehouse, with supporting site improvements. A new field station has been constructed at another site and operations have been relocated, leaving this former field station no longer in use. Further staff analysis resulted in a determination that the Tract was not needed for any other District purposes and would therefore be available for surplus. An appraisal has been obtained establishing an appraised value of \$1,100,000 for the Tract. A public meeting regarding the surplus and sale of the Tract was conducted on May 27, 2016. Staff recommends to the Governing Board that the Tract be declared surplus, without reservation of interests under Section 270.11, Florida Statutes, together with any structures and improvements and personal property appurtenant thereto, and be offered to the public for bid to be sold for the highest price obtainable but not less than the appraised value.

**Funding Source:**

Ad valorem funds will be used to pay for the costs of advertising and appraisal, but will be recovered from and paid by the successful bidder at closing. All closing costs will be paid by the successful bidder. The Tract was acquired with Big Cypress Basin ad valorem funds specified for the administrative purpose of establishing the subject Big Cypress Basin field station. The funds derived from the sale of the Tract will be committed to the District's Big Cypress Basin fund balance restricted for use for purposes associated with Collier County.

**Staff Contact and/or Presenter:**

Ray Palmer, rpalmer@sfwmd.gov, 561-682-2246



## SOUTH FLORIDA WATER MANAGEMENT DISTRICT

### Resolution No. 2016 - 0703

**A Resolution of the Governing Board of the South Florida Water Management District approving declaring surplus land interests in Collier County containing 1.76 acres, more or less, without reservation of interests under Section 270.11, Florida Statutes, together with any structures and improvements and personal property appurtenant thereto, and approving offering said property to the public for bid to be sold for the highest price obtainable but not less than the appraised value; providing an effective date.**

**WHEREAS**, District staff has analyzed the options for disposal of that certain parcel of land containing 1.76 acres, more or less, located in Collier County and identified as Tract OB100-001 (the "Tract"), depicted in Exhibit "A" attached hereto, and recommends to the Governing Board that the Tract be declared surplus and be offered for bid; and

**WHEREAS**, the Tract, previously utilized as the Big Cypress Basin field station, is not needed by the District as a new field station has been constructed at a different site and all operations have been relocated to the new field station site; and

**WHEREAS**, the Governing Board has determined that the fee ownership of the Tract is not required by the District for present or future use; and

**WHEREAS**, the Governing Board has determined that it is in the public interest to declare the Tract surplus; and

**WHEREAS**, the District shall offer the Tract to the public for bid to be sold for the highest price obtainable, but in no event less than the appraised value; and

**WHEREAS**, the District has obtained an appraisal establishing an appraised value of \$1,100,000 for the Tract; and

**WHEREAS**, the District shall not reserve any interest in the phosphate, minerals, metals and petroleum, pursuant to Section 270.11, Florida Statutes; and

**WHEREAS**, the District, pursuant to Section 373.089, Florida Statutes, has the authority to sell lands, or interests, or rights in land owned by the District not required for its purposes, for the highest price obtainable, but not less than the appraised value; and

**WHEREAS**, pursuant to Section 373.089(6), Florida Statutes, all lands acquired by the District prior to July 1, 1999 shall be considered to have been acquired for conservation purposes, and the Governing Board shall be required to make a determination that the lands are not needed for conservation purposes by at least a two-thirds (2/3) majority.

**NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:**



- Section 1:** The Governing Board of the South Florida Water Management District hereby: (i) determines that fee ownership of that certain parcel of land containing 1.76 acres, more or less, located in Collier County and identified as Tract OB100-001, depicted in Exhibit "A" attached hereto, is not required by the District for present or future use; (ii) approves declaring the Tract surplus, together with any structures and improvements and personal property appurtenant thereto, and (iii) approves offering the Tract to the public for bid and sold for the highest price obtainable, but in no event less than the appraised value, in accordance with the provisions of Section 373.089, Florida Statutes. Any disposal shall be subject to funding source and subdivision ordinance requirements.
- Section 2:** The District shall not reserve an interest in the phosphate, minerals, metals and petroleum, pursuant to Section 270.11, Florida Statutes.
- Section 3:** Consistent with the requirements of Section 373.089(6), Florida Statutes, the Governing Board hereby determines that the subject lands are not needed for conservation purposes, as these lands were developed for use as the former Big Cypress Basin Field Station, and that this Resolution was approved by the Governing Board by at least a two-thirds (2/3) vote.
- Section 4:** The Governing Board of the South Florida Water Management District hereby authorizes the Chairman or Vice Chairman to execute the conveyance document. The Governing Board of the South Florida Water Management District hereby authorizes the Executive Director or the Executive Director's designee to execute all other documents necessary to consummate this transaction.
- Section 5:** This Resolution shall take effect immediately upon adoption.

**PASSED and ADOPTED** this 14<sup>th</sup> day of July, 2016.

SOUTH FLORIDA WATER MANAGEMENT  
DISTRICT, BY ITS GOVERNING BOARD  
By:

\_\_\_\_\_  
Chairman

Attest:

Legal form approved:  
By:

\_\_\_\_\_  
District Clerk/Secretary

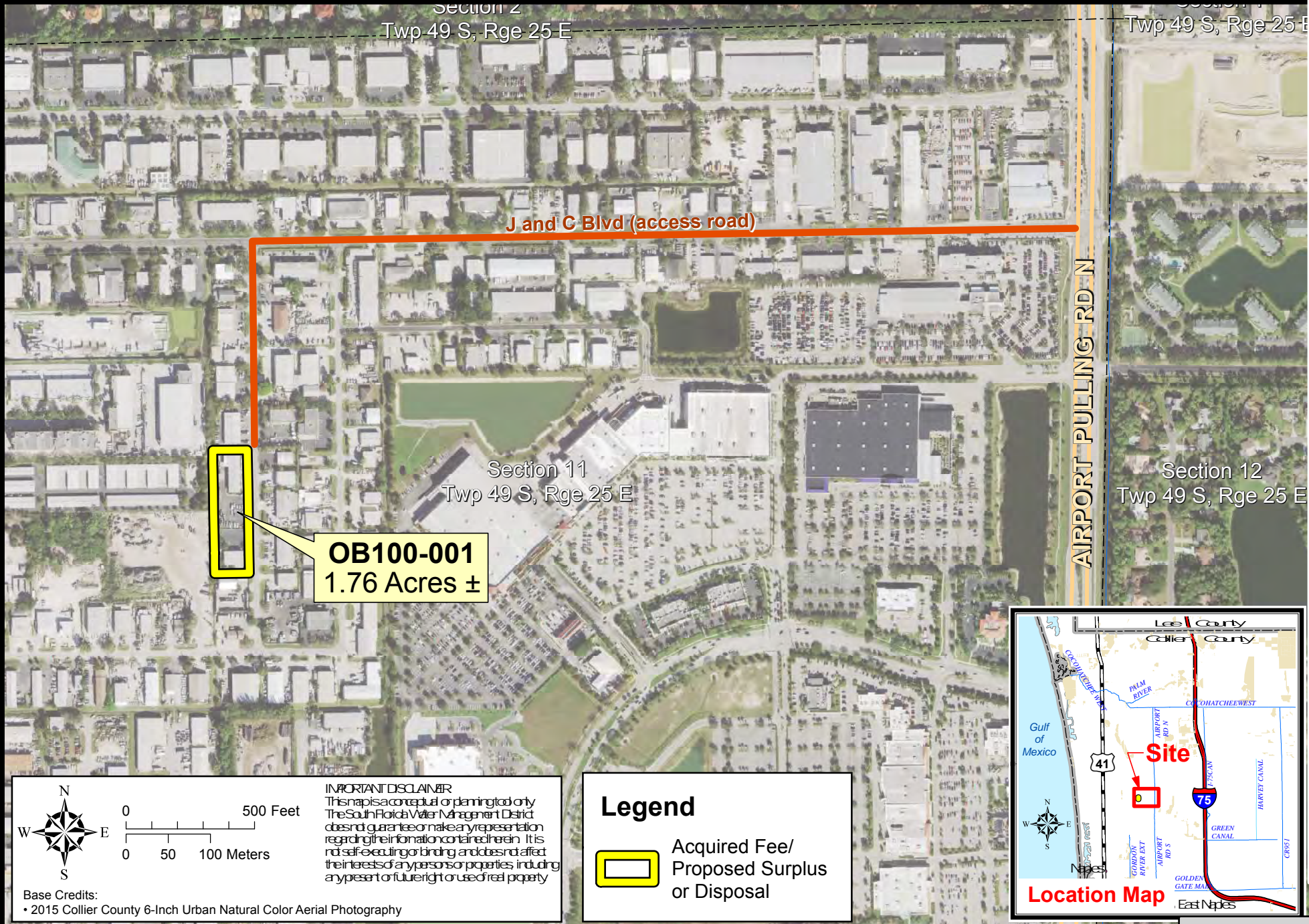
\_\_\_\_\_  
Office of Counsel

Print name:  
  
\_\_\_\_\_

Exhibit "A"

# Former BCB Field Station

## Collier County



Attachment: ca\_re\_211\_Exhibit\_A\_Palmer\_BCB\_Field\_Station\_Surplus (Resolution No. 2016 - 0703 :



**EXHIBIT "A"****TRACT OB100-001**

A parcel of land in the Northwest Quarter (NW ¼) of Section 11, Township 49 South, Range 25 East, Collier County, Florida; being the lands described in Warranty Deed in Official Record Book 1274, Page 2297 and Official Record Book 2054, Page 2074 recorded in Collier County, Florida; being more specifically described as follows:

**Commence** at the West Quarter (W ¼) Corner of said Section 11, thence, run North 89° 30' 40" East along the East-West Quarter (E-W ¼) Section Line of Said Section 11, a distance of 1987.83 feet;

Thence, run North 0° 24' 17" West, a distance of 546.29 feet to the **Point of Beginning**.

Thence, continue run along North 00° 24' 17" West, a distance of 480.00 feet;

Thence, run North 89° 35' 43" East to the centerline of Janes Lane, a distance of 165.00 feet;

Thence, run South 0° 24' 17" East along the said centerline of Janes Lane, a distance of 400.00 feet;

Thence, run South 89° 35' 43" West, a distance of 30.00 feet to a line parallel to the centerline of Janes Lane;

Thence, run South 0° 24' 17" East along the said line parallel to the centerline of Janes Lane, a distance of 80.00 feet;

Thence, run South 89° 35' 43" West, a distance of 135.00 feet to the **Point of Beginning**.

The bearings shown hereon are based on the Florida State Plane Coordinate System, East Zone, NAD83, and are based on the East-West Quarter line of Section 11, Township 49 South, Range 25 East; said line bears North 89° 30' 40" East and all bearings are relative thereto.

Containing 1.76 acres more or less.

*This Legal Description is not valid unless accompanied by a Description Sketch.*

SECTION 11  
TOWNSHIP 49 SOUTH  
RANGE 25 EAST  
COLLIER COUNTY

SOUTH FLORIDA WATER MANAGEMENT DISTRICT  
INFRASTRUCTURE MANAGEMENT BUREAU – SURVEY & MAPPING SECTION

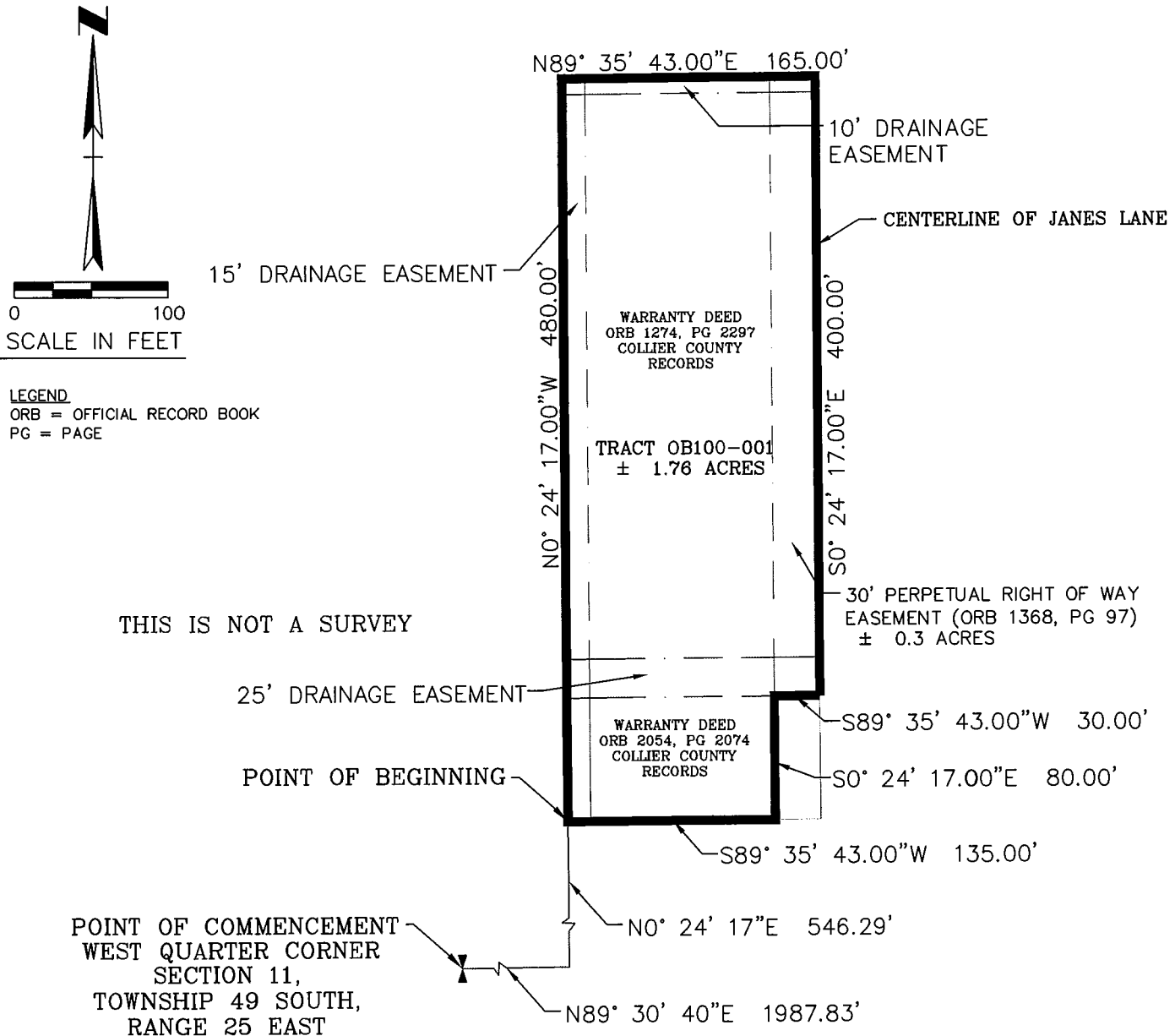
3301 GUN CLUB ROAD  
WEST PALM BEACH, FLORIDA 33416-4680

FORMER BIG CYPRESS BASIN FIELD STATION

TRACT OB100-001

DRAWN	CHECKED	DATE	REVISIONS

DRAWN ARA	CHECKED ARA	DATE 1JUN16	SCALE AS SHOWN	DRAWING NUMBER OB100-001	SHEET 1 OF 2
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## CERTIFICATION

UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER, THIS DRAWING, SKETCH, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.

I HEREBY CERTIFY THAT THE DESCRIPTION OF THE PROPERTY SHOWN HEREON WAS COMPLETED UNDER MY DIRECTION AND THAT SAID DESCRIPTION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

I HEREBY CERTIFY THAT THIS DESCRIPTION MEETS THE APPLICABLE MINIMAL TECHNICAL STANDARDS FOR SURVEYS SET FORTH BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS PURSUANT TO SECTION 472.027 FLORIDA STATE STATUTES.

Date of Signature

6-14-16

*Amelia Rodriguez-Alers*

AMELIA RODRIGUEZ-ALERS  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA CERTIFICATE NO. 6918

SECTION 11  
TOWNSHIP 49 SOUTH  
RANGE 25 EAST  
COLLIER COUNTY

SOUTH FLORIDA WATER MANAGEMENT DISTRICT  
INFRASTRUCTURE MANAGEMENT BUREAU – SURVEY & MAPPING SECTION

3301 GUN CLUB ROAD  
WEST PALM BEACH, FLORIDA 33416-4680

FORMER BIG CYPRESS BASIN FIELD STATION  
TRACT OB100-001

DRAWN ARA	CHECKED ARA	DATE 1JUN16	SCALE AS SHOWN	DRAWING NUMBER OB100-001	SHEET 2 OF 2
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## MEMORANDUM

**TO:** Governing Board Members

**FROM:** Richard Bassell, Division Director

**DATE:** July 14, 2016

**SUBJECT:** Approve acquisition of land interests containing 5.0 acres, +/- in Miami-Dade County for \$40,000

**Summary:**

Tract No. W9307-946, owned by Jerry Kemp, comprises a total of 5.0 acres located within the District's Pennsuco Wetlands Project. The purchase price for Tract No. W9307-946 is \$40,000 together with the \$10,133.85 in cumulative funding for land management costs and associated real estate and environmental restoration expenditures. The Pennsuco wetlands are approximately 13,000 acres of wetland prairie located adjacent to the east perimeter of Water Conservation Area 3B in northwestern Miami-Dade County. The Pennsuco area is bordered to the west and north by Krome Avenue, to the south by Tamiami Trail and the east by the Dade-Broward Levee.

**Core Mission and Strategic Priorities:**

Acquisition of the Pennsuco wetlands is a key component of the Florida legislature approved Miami-Dade County Lake Belt Plan. The Pennsuco wetlands serve as a buffer between developed areas of Miami-Dade County, to the east, and the Everglades, to the west.

**Funding Source:**

The acquisition of this tract is from a willing seller. The purchase price of \$40,000 is under the appraised value of \$70,000. The closing costs will be paid by the seller. All costs, including acquisition, associated costs, restoration costs and long term land management costs are to be funded from the Lake Belt Mitigation Fund.

**Staff Contact and/or Presenter:**

Marcy Zehnder, ext. 6694

## SOUTH FLORIDA WATER MANAGEMENT DISTRICT

### Resolution No. 2016 - 0704

**A Resolution of the Governing Board of the South Florida Water to approve the purchase of land interests containing 5.0 acres, more or less, in Miami-Dade County, Pennsuco Project, in the amount of \$40,000, plus associated costs, restoration costs and long term land management costs in the cumulative amount of \$10,133.85, for which dedicated funds (Lake Belt Mitigation Fund) have been budgeted; approve declaring surplus, disposal of, and removal from the asset records any such structures and improvements deemed unnecessary for the stated purpose of the original land acquisition; providing an effective date.**

**WHEREAS**, the South Florida Water Management District is currently acquiring land from willing sellers in connection with the implementation of the Pennsuco Project; and

**WHEREAS**, the South Florida Water Management District desires to purchase land interests containing 5.0 acres, more or less, for the Pennsuco Project, in Miami-Dade County, and as shown on the location map Exhibit "A", attached hereto and made a part hereof, in the amount of \$40,000, and declare surplus, disposal of, and removal from the asset records, any such structures and improvements deemed unnecessary for the stated purpose for the original land acquisition; and

**WHEREAS**, all costs are to be funded from the Lake Belt Mitigation Fund for the acquisition, associated costs, restoration costs and long term land management costs and

**WHEREAS**, the South Florida Water Management District is authorized to acquire land, or interests or rights in land, pursuant to Section 373.139, Florida Statutes.

**NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:**

**Section 1.** The Governing Board of the South Florida Water Management District hereby approves the purchase of land interests containing 5.0 acres, more or less, in Miami-Dade County, Pennsuco Project, in the amount of \$40,000, together with associated costs, restoration costs and land management costs in the cumulative amount of \$10,133.85, for which dedicated funds (Lake Belt Mitigation Fund) have been budgeted, as follows:

Owner	Tract No.	Interest	Acres	Appraised Value	Purchase Price
JERRY KEMP	W9307-946	Fee	5.0	\$70,000	\$40,000

Dollars	Fund	Fund Center	Functional Area	Commitment Item GL Account #
\$ 40,000.00	419000	3510144000	AA05	580020
\$ 1,986.20	419000	3510144000	AA05	580014
\$ 4,537.65	211021	3510144000	AA05	530200
\$ 3,610.00	701021	3510144000	AA05	530200

**Section 2.** The Governing Board of the South Florida Water Management District hereby further approves declaring surplus, disposal of and removal from the asset records, any such structures and improvement deemed unnecessary for the stated purpose of the original land acquisition.

**Section 3.** The Governing Board of the South Florida Water Management District hereby authorizes the Chairman or Vice Chairman to execute the Agreement for Sale and Purchase instrument. The Governing Board of the South Florida Water Management District hereby authorizes the Executive Director or the Executive Director's designee to execute all other documents necessary to consummate this transaction.

**Section 4.** This Resolution shall take effect immediately upon adoption.

**PASSED** and **ADOPTED** this 14<sup>th</sup> day of July, 2016.

SOUTH FLORIDA WATER MANAGEMENT  
DISTRICT, BY ITS GOVERNING BOARD  
By:

\_\_\_\_\_  
Chairman

Attest:

Legal form approved:  
By:

\_\_\_\_\_  
District Clerk/Secretary

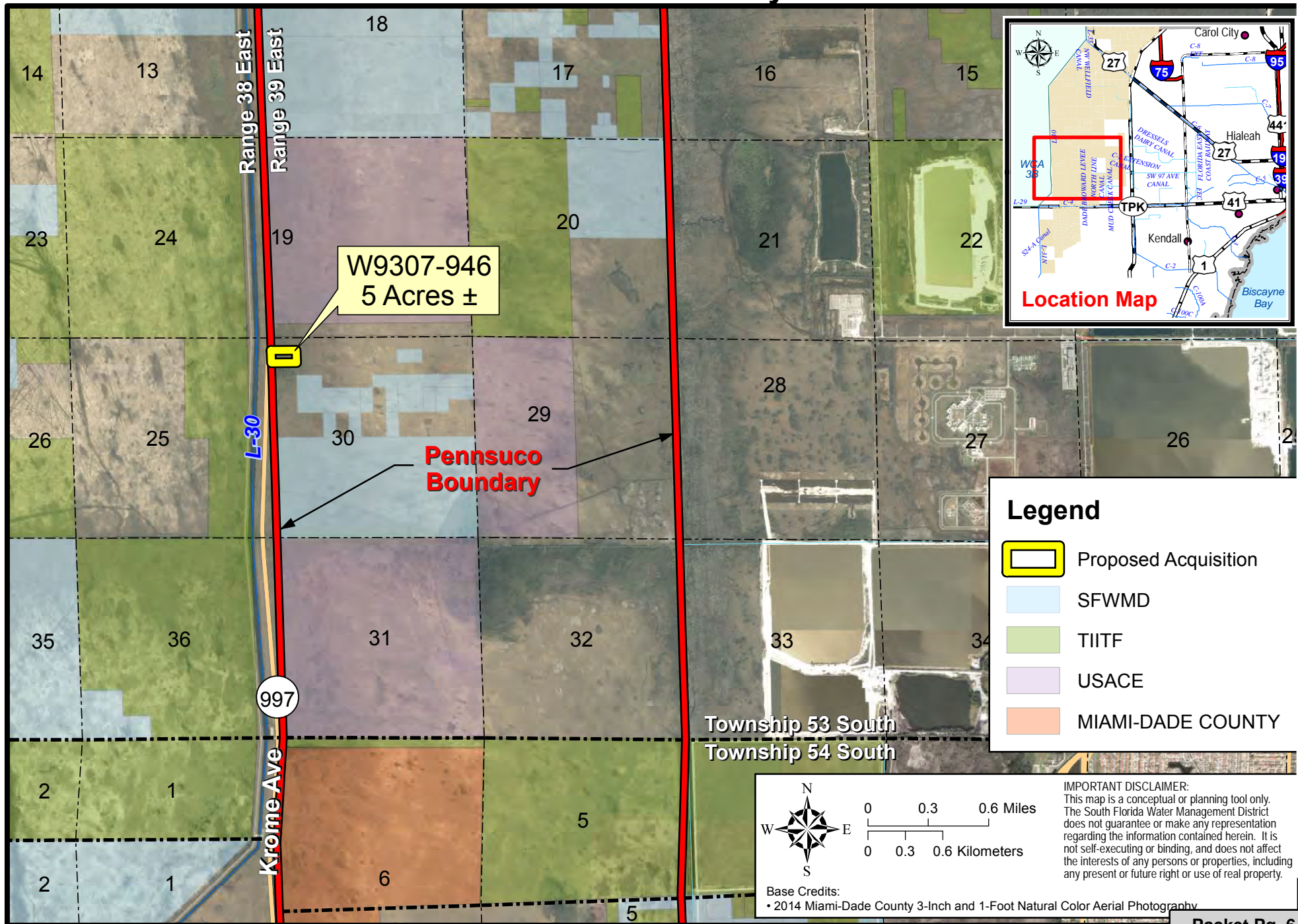
\_\_\_\_\_  
Office of Counsel

Print name:  
\_\_\_\_\_



# PENNSUCO

## Miami-Dade County





## M E M O R A N D U M

**TO:** Governing Board Members

**FROM:** Richard Bassell, Division Director

**DATE:** July 14, 2016

**SUBJECT:** Extension of Release of Right of Way Interests

**Summary:**

The applicant, Target Corporation, has requested and received approval for the release of a portion of the C-4 canal right of way easement to accommodate their proposed commercial development under Resolution No. 2012-1105. The area to be released is 1.42 acres, more or less, and is located in Section 3, Township 54 South, Range 39 East, Miami-Dade County, Florida (see Exhibit "A" attached hereto).

The applicant has not met all of the development requirements and is requesting an extension of time for the release. Resolution No. 2012-1105 will be rescinded and replaced with a new resolution approving this item, subject to the following terms, conditions and requirements:

- a. Applicant must provide a legal description and sketch for release instrument, subject to District review and approval.
- b. The applicant must provide evidence that it is the underlying fee owner of the release area.
- c. All costs associated with this transaction shall be paid for by the applicant, including but not limited to all recording costs, and under no circumstances shall the District be obligated to pay any amount to the applicant or otherwise in connection with this transaction.
- d. The underlying fee owner shall pay to the District not less than appraised value for the release parcel. The appraiser, appraisal and appraised value must all be acceptable to and approved by the District.
- e. Applicant is required to provide the District a stabilized (FDOT standards) 110 feet by 100 feet staging area which lies easterly of the proposed SW 139th Avenue bridge within the northerly right of way of C-4. In addition, the applicant must complete bank/berm re-shaping and stabilization that will provide the District with a clear, unobstructed canal maintenance berm and vehicular access route being a minimum of 40 feet in width as measured from the useable top of bank landward. Vehicular access route and staging areas shall be backsloped (20H:1V) from the top of bank landward. Applicant must apply for and receive a Right of Way Occupancy Permit as contemplated in Paragraph "f" below, prior to the commencement of the work described above within the District's right of way.
- f. The applicant shall obtain all necessary permits from the District, Miami-Dade County, and any other governmental entities, if any, and pay all associated fees. There is no representation, guaranty or assurance made by the District that the District's Governing Board will in fact approve the issuance of any required District permits, and there is no

obligation on the part of the District's Governing Board to approve the issuance of any required District permits. The District's review process for any required permits will be done separate, independent and unfettered of the fact that the District has approved this Resolution and shall be in accordance with the District's applicable rules.

- g. All of the foregoing terms, conditions, and requirements set forth in subparagraphs (a.) through (f.), inclusive, must be satisfied to the satisfaction of the District in its sole and absolute discretion no later than May 31, 2018.

**Core Mission and Strategic Priorities:**

Pursuant to Section 373.096 of the Florida Statutes, the Governing Board of the District may release any easement, reservation or right of way interest for which it has no present or apparent use under terms and conditions determined by the Board.

**Funding Source:**

The right of way easement to be released was conveyed to the District in 1951 at no cost.

**Staff Contact and/or Presenter:**

Kathy Massey, kmassey@sfwmd.gov, Extension 6835

## SOUTH FLORIDA WATER MANAGEMENT DISTRICT

### Resolution No. 2016 - 0705

**A Resolution of the Governing Board of the South Florida Water Management District to approve extending the termination date for satisfaction of terms, conditions and requirements of Resolution No. 2012-1105, in connection with the release of right of way interests containing 1.42 acres, more or less, to the underlying fee owner at appraised value, C-4 (Tamiami Canal), located in Section 3, Township 54 South, Range 39 East, Miami-Dade County, subject to satisfaction of certain terms, conditions and requirements; providing an effective date.**

**WHEREAS**, on November 15, 2012, pursuant to Resolution No. 2012-1105, the Governing Board approved a request for the District to release a portion of its existing C-4 (Tamiami Canal) canal right of way. The easement to be released contains 1.42 acres, more or less, and is located in Section 3, Township 54 South, Range 39 East, Miami-Dade County; and

**WHEREAS**, pursuant to a request from the applicant the District determined that it was in the public interest to release a portion of its current canal right of way to the Applicant; and

**WHEREAS**, the applicant received approval subject to satisfaction of certain terms, conditions and requirements; and

**WHEREAS**, although some of the terms, conditions, and requirements have been completed, not all of the remaining terms, conditions and requirements have been satisfied, therefore, the applicant has requested that the District extend the time for satisfaction of all of the terms, conditions and requirements set forth in Resolution No. 2012-1105 until May 31, 2018; and

**WHEREAS**, pursuant to Section 373.096 of the Florida Statutes, the Governing Board of the District may release any easement, reservation or right of way interest for which it has no present or apparent use under terms and conditions determined by the Board; and

**WHEREAS**, the District is willing to extend the date by which the applicant must satisfy such terms, conditions, and requirements until May 31, 2018, as provided below.

**NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:**

**Section 1:** The Governing Board of the South Florida Water Management District has determined that the District has no present or apparent future use for the subject portion of the C-4 right of way easement and hereby approves releasing 1.42 +/- acres, from the current easement area located in Section 3, Township 54 South, Range 39 East, Miami-Dade County, to the applicant/underlying fee owner at appraised value, provided all of the following terms, conditions, and requirements are satisfied to the satisfaction of the District, in its sole and absolute discretion:

- a. Applicant must provide a legal description and sketch for release instrument, subject to District review and approval.
- b. The applicant must provide evidence that it is the underlying fee

- owner of the release area.
- c. All costs associated with this transaction shall be paid for by the applicant, including but not limited to all recording costs, and under no circumstances shall the District be obligated to pay any amount to the applicant or otherwise in connection with this transaction.
  - d. The underlying fee owner shall pay to the District not less than appraised value for the release parcel. The appraiser, appraisal and appraised value must all be acceptable to and approved by the District.
  - e. Applicant is required to provide the District a stabilized (FDOT standards) 110 feet by 100 feet staging area which lies easterly of the proposed SW 139th Avenue bridge within the northerly right of way of C-4. In addition, the applicant must complete bank/berm re-shaping and stabilization that will provide the District with a clear, unobstructed canal maintenance berm and vehicular access route being a minimum of 40 feet in width as measured from the useable top of bank landward vehicular access route and staging areas shall be backsloped (20H:1V) from the top of bank landward. Applicant must apply for and receive a Right of Way Occupancy Permit as contemplated in Paragraph "f" below, prior to the commencement of the work described above within the District's right of way.
  - f. The applicant shall obtain all necessary permits from the District, Miami-Dade County, and any other governmental entities, if any, and pay all associated fees. There is no representation, guaranty or assurance made by the District that the District's Governing Board will in fact approve the issuance of any required District permits, and there is no obligation on the part of the District's Governing Board to approve the issuance of any required District permits. The District's review process for any required permits will be done separate, independent and unfettered of the fact that the District has approved this Resolution and shall be in accordance with the District's applicable rules.
  - g. All of the foregoing terms, conditions, and requirements set forth in subparagraphs (a.) through (f.), inclusive, must be satisfied to the satisfaction of the District in its sole and absolute discretion no later than May 31, 2018.

**Section 2:** The Governing Board of the South Florida Water Management District hereby authorizes the Chairman to execute the release document. No release instrument shall be delivered to the applicant/underlying fee owner, or shall be effective, until all of the foregoing requirements have been fully completed and fulfilled to the District's satisfaction, and such release has been recorded in the Public Records of Miami-Dade County.

**Section 3:** This Resolution rescinds and replaces Resolution No. 2012-1105 and shall take effect immediately upon adoption.

**PASSED and ADOPTED** this 14<sup>th</sup> day of July, 2016.

SOUTH FLORIDA WATER MANAGEMENT  
DISTRICT, BY ITS GOVERNING BOARD  
By:

\_\_\_\_\_  
Chairman

Attest:

\_\_\_\_\_  
District Clerk/Secretary

Legal form approved:  
By:

\_\_\_\_\_  
Office of Counsel

Print name:



# Target - Miami-Dade County



Attachment: Extension Release Right Of Way Interest Map Attachment (Resolution No. 2016 - 0705 :



## SOUTH FLORIDA WATER MANAGEMENT DISTRICT

RESOLUTION NO. 2012- 1105

A RESOLUTION OF THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT APPROVING THE RELEASE OF RIGHT OF WAY EASEMENT CONTAINING 1.42 ACRES, MORE OR LESS, TO THE UNDERLYING FEE OWNER AT APPRAISED VALUE; BEING A PORTION OF THE C-4 (TAMIAMI CANAL) RIGHT OF WAY, IN SECTION 3, TOWNSHIP 54 SOUTH, RANGE 39 EAST, MIAMI-DADE COUNTY, SUBJECT TO SATISFACTION OF CERTAIN TERMS, CONDITIONS AND REQUIREMENTS; PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, pursuant to a request from the applicant, Target Corporation, the District has determined that it is in the public interest to release a portion of the C-4 (Tamiami Canal) right of way easement to the Applicant to accommodate their proposed commercial development. The area to be released contains 1.42 +/- acres, more or less, and is located in Section 3, Township 54 South, Range 39 East, Miami-Dade County; and

**WHEREAS**, upon the satisfaction of certain terms, conditions and requirements, the Governing Board has determined that the portion of the C-4 (Tamiami Canal) right of way to be released is not required by the District for present or apparent future use; and

**WHEREAS**, the applicant has paid the application fee and the District will release its interest at appraised value; and

**WHEREAS**, pursuant to Section 373.096 of the Florida Statutes, the Governing Board of the District may release any easement, reservation or right of way interest for which it has no present or apparent use under terms and conditions determined by the Board.

**NOW THEREFORE, BE IT RESOLVED** by the Governing Board of the South Florida Water Management District:

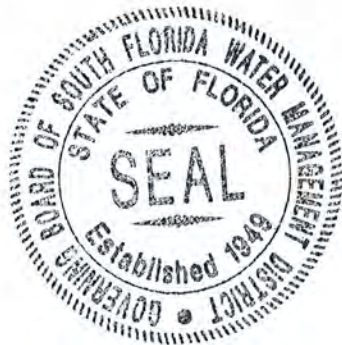
**Section 1:** The Governing Board of the South Florida Water Management District has determined that the District has no present or apparent future use for the subject portion of the C-4 right of way easement and hereby approves releasing approximately 1.42 +/- acres, more or less, from the easement area located in Section 3, Township 54 South, Range 39 East, Miami-Dade County, to the applicant/underlying fee owner at appraised value, provided all of the following terms, conditions, and requirements are satisfied to the satisfaction of the District, in its sole and absolute discretion:

- a) Applicant must provide a legal description and sketch for release instrument, subject to District review and approval.
- b) The Applicant must provide evidence that it is the underlying fee owner of the release area.
- c) All costs associated with this transaction shall be paid for by the Applicant, including but not limited to all recording costs, and under no circumstances shall the District be obligated to pay any amount to the Applicant or otherwise in connection with this transaction.
- d) The underlying fee owner shall pay to the District not less than appraised value for the release parcel. The appraiser, appraisal and appraised value must all be acceptable to and approved by the District.
- e) Applicant is required to provide the District a stabilized (FDOT standards) 110 feet by 100 feet staging area which lies easterly of the proposed SW 139<sup>th</sup> Avenue bridge within the northerly right of way of C-4. In addition, the applicant must complete bank/berm re-shaping and stabilization that will provide the District with a clear, unobstructed canal maintenance berm and vehicular access route being a minimum of 40 feet in width as measured from the useable top of bank landward. Vehicular access route and staging areas shall be backsloped (20H:1V) from the top of bank landward. Applicant must apply for and receive a Right of Way Occupancy Permit as contemplated in Paragraph "f" below, prior to the commencement of the work described above within the District's right of way.
- f) The Applicant shall obtain all necessary permits from the District, Miami-Dade County, and any other governmental entities, if any, and pay all associated fees. There is no representation, guaranty or assurance made by the District that the District's Governing Board will in fact approve the issuance of any required District permits, and there is no obligation on the part of the District's Governing Board to approve the issuance of any required District permits. The District's review process for any required permits will be done separate, independent and unfettered of the fact that the District has approved this Resolution and shall be in accordance with the District's applicable rules.
- g) All of the foregoing terms, conditions, and requirements set forth in subparagraphs (a.) through (f.), inclusive, must be satisfied to the satisfaction of the District in its sole and absolute discretion no later than December 31, 2015.

**Section 2:** The Governing Board of the South Florida Water Management District hereby authorizes the Chairman to execute the release document. No release instrument shall be delivered to the applicant/underlying fee owner, or shall be effective, until all of the foregoing requirements have been fully completed and fulfilled to the District's satisfaction, and such release has been recorded in the Public Records of Miami-Dade County.

**Section 3:** This Resolution shall take effect immediately upon adoption.

78  
79 PASSED and ADOPTED this 15th day of November, 2012.  
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SOUTH FLORIDA WATER MANAGEMENT  
DISTRICT, BY ITS GOVERNING BOARD

BY: \_\_\_\_\_

*Joe Collins*  
Joe Collins, Chairman

91 ATTEST:

92  
93  
94 By: \_\_\_\_\_

*Gronda Low*  
District Clerk/Secretary

95  
96  
97  
98 Legal form approved:

99  
100 By: \_\_\_\_\_

*Andrew Ross*  
Andrew Ross, Office of Counsel



# Target - Miami-Dade County



20.b

Attachment: RES\_2012\_1105 (Resolution No. 2016 - 0705 : Extension of Release of Right of Way Interests)

**IMPORTANT DISCLAIMER:**  
This map is a conceptual or planning tool only. The South Florida Water Management District does not guarantee or make any representation regarding the information contained herein. It is not self-executing or binding, and does not affect the interests of any persons or properties, including any present or future right or use of real property.



## MEMORANDUM

**TO:** Governing Board Members

**FROM:** Richard Bassell, Division Director

**DATE:** July 14, 2016

**SUBJECT:** Approve declaring surplus land interests-a total of 44.15 acres, +/-, in Okeechobee County

### Summary:

Pursuant to Resolution 2013-612, the Governing Board directed staff to further analyze the options for disposal of certain lands and to thereafter propose recommendations to the Governing Board for further approval. Tract C1100-041 containing 44.15 acres, more or less, located in Okeechobee County (the "Tract"), as shown on the attached Exhibit "A", was included in the Resolution. Staff further analyzed the options for disposal of the Tract, obtained an ecological assessment, and conducted a public meeting on May 27, 2016 regarding the surplus and sale of the Tract. The ecological assessment did not identify any matters of concern. An appraisal establishing an appraised value of \$220,000 for the Tract was also obtained. The appraisal appraised value reflected that the surplus of the Tract will be subject to a reserved perpetual access easement encumbering the east 60 feet comprising approximately 2.3 acres. Staff recommends to the Governing Board that the Tract be declared surplus, subject to the reserved perpetual access easement and without reservation of phosphate, minerals, metals and petroleum under Section 270.11, Florida Statutes and be offered to the public for bid to be sold for the highest price obtainable, but in no event less than appraised value.

### Core Mission and Strategic Priorities:

By approving this item, the Governing Board determines that the fee ownership of the Tract is not required by the District for present or future use, and based on the ecological assessment is not needed for conservation purposes.

### Funding Source:

Ad valorem funds will be used to pay for the costs of advertising and appraisal, but will be recovered from and paid by the successful bidder at closing. All closing costs will be paid by the successful bidder. In accordance with the requirements of the Water Management Lands Trust Fund funding source used to acquire the Tract, the funds derived from sale of the Tract may be used to: (1) acquire land for water management, conservation, and protection of water resources under Section 373.139, Florida Statutes, (2) acquire lands for a project listed in the District's Florida Forever Work Plan, (3) manage other lands acquired with Water Management Lands Trust funds, and/or (4) make debt service payments on revenue bonds or notes issued under Section 373.584, Florida Statutes.

### Staff Contact and/or Presenter:

Ray Palmer, rpalmer@sfwmd.gov, 561-682-2246

## SOUTH FLORIDA WATER MANAGEMENT DISTRICT

### Resolution No. 2016 - 0706

**A Resolution of the Governing Board of the South Florida Water Management District approving declaring surplus land interests in Okeechobee County containing 44.15 acres, more or less, subject to a reserved perpetual access easement containing 2.3 acres, more or less, without reservation of interests under Section 270.11, Florida Statutes, together with any structures and improvements and personal property appurtenant thereto, and approving offering said property to the public for bid to be sold for the highest price obtainable but not less than the appraised value; providing an effective date.**

**WHEREAS**, pursuant to Resolution 2013-612, the Governing Board directed staff to further analyze the options for disposal of certain lands and to thereafter propose recommendations to the Governing Board for further approval; and

**WHEREAS**, that certain parcel of land containing 44.15 acres, more or less, located in Okeechobee County and identified as Tract C1100-041 (the "Tract"), was included within Resolution 2013-612; and

**WHEREAS**, staff has further analyzed the options for disposal of the Tract, has obtained an ecological assessment ("Ecological Assessment"), and recommends to the Governing Board that the Tract be declared surplus and be offered for bid, subject to a 2.3 acres, more or less, reserved perpetual access easement; and

**WHEREAS**, the Governing Board has determined that the fee ownership of the Tract is not required by the District for present or future use; and

**WHEREAS**, the Governing Board has determined that it is in the public interest to declare the Tract surplus; and

**WHEREAS**, the District shall offer the Tract to the public for bid to be sold for the highest price obtainable, but in no event less than the appraised value; and

**WHEREAS**, the District has obtained an appraisal establishing an appraised value of \$220,000 for the Tract, subject to the 2.3 acres reserved perpetual access easement; and

**WHEREAS**, the District shall not reserve any interest in the phosphate, minerals, metals and petroleum, pursuant to Section 270.11, Florida Statutes; and

**WHEREAS**, the District, pursuant to Section 373.089, Florida Statutes, has the authority to sell lands, or interests, or rights in land owned by the District not required for its purposes, for the highest price obtainable, but not less than the appraised value; and

**WHEREAS**, pursuant to Section 373.089(6), Florida Statutes, the Governing Board shall be required to make a determination that the lands are no longer needed for conservation purposes by at least a two-thirds (2/3) majority.

**NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:**



**Section 1:** The Governing Board of the South Florida Water Management District hereby: (i) determines that fee ownership of that certain parcel of land containing 44.15 acres, more or less, located in Okeechobee County and identified as Tract C1100-041, depicted in Exhibit "A" attached hereto, is not required by the District for present or future use; (ii) approves declaring the Tract surplus, subject to a 2.3 acres, more or less, reserved perpetual access easement, together with any structures and improvements and personal property appurtenant thereto, and (iii) approves offering the Tract, subject to a 2.3 acres, more or less, reserved perpetual access easement, to the public for bid and sold for the highest price obtainable, but in no event less than the appraised value, in accordance with the provisions of Section 373.089, Florida Statutes. Any disposal shall be subject to funding source and subdivision ordinance requirements.

**Section 2:** The District shall not reserve an interest in the phosphate, minerals, metals and petroleum, pursuant to Section 270.11, Florida Statutes.

**Section 3:** Consistent with the requirements of Section 373.089(6), Florida Statutes and based on the Ecological Assessment, the Governing Board hereby determines that the subject lands are no longer needed for conservation purposes, and that this Resolution was approved by the Governing Board by at least a two-thirds (2/3) vote.

**Section 4:** The Governing Board of the South Florida Water Management District hereby authorizes the Chairman or Vice Chairman to execute the conveyance document. The Governing Board of the South Florida Water Management District hereby authorizes the Executive Director or the Executive Director's designee to execute all other documents necessary to consummate this transaction.

**Section 5:** This Resolution shall take effect immediately upon adoption.

**PASSED** and **ADOPTED** this 14<sup>th</sup> day of July, 2016.

SOUTH FLORIDA WATER MANAGEMENT  
DISTRICT, BY ITS GOVERNING BOARD

By:

\_\_\_\_\_  
Chairman

Attest:

Legal form approved:

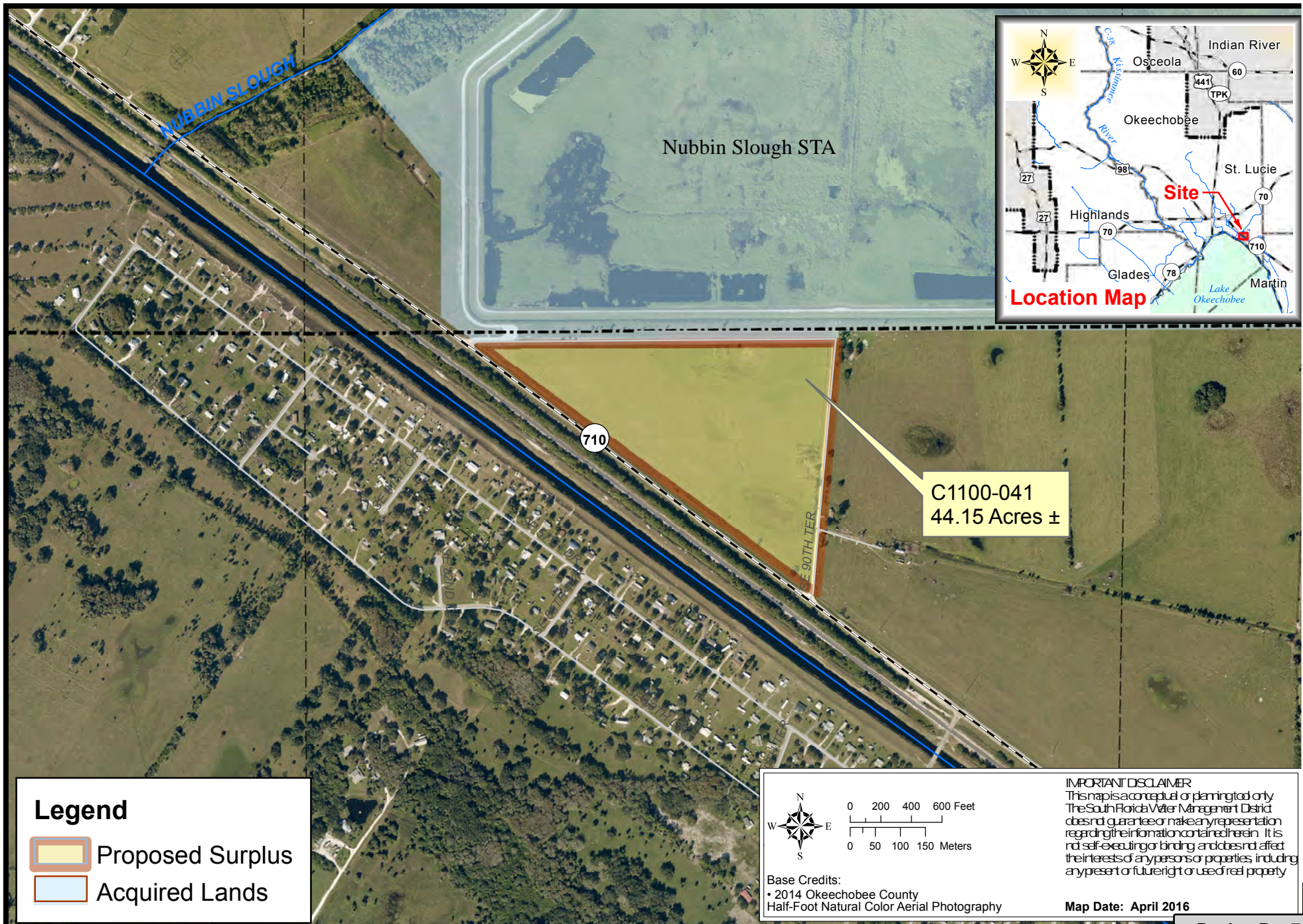
By:

\_\_\_\_\_  
District Clerk/Secretary

\_\_\_\_\_  
Office of Counsel

Print name:

\_\_\_\_\_



## M E M O R A N D U M

**TO:** Governing Board Members

**FROM:** Karen Estock, Director, Field Operations & Land Management

**DATE:** July 14, 2016

**SUBJECT:** Request to approve agreement -Herbicide Eval & Best Mgmt Practices-Control Old World Climbing Fern

**Summary:**

Invasion of South Florida's natural habitats by nonindigenous plant species has significantly altered the region's ecosystems, particularly by displacing native species and altering ecosystem functions. These impacts present major challenges to the District's mission to restore, preserve, and protect the South Florida ecosystem. Perhaps no other plant species poses a greater threat to South Florida's mesic upland and wetland ecosystems than Old World climbing fern (Lygodium). This highly invasive fern smothers native vegetation, severely compromising plant species composition, destroying tree island canopy cover, dominating understory communities, and substantially altering fire and nutrient cycling regimes.

Although herbicides are the primary tool used for Lygodium management, there are few effective herbicide options. All currently available herbicides can cause significant non-target damage to desirable trees, shrubs, and forbs. As such, additional effective herbicides for Lygodium control that have little to no non-target damage across a range of environments are greatly needed. In addition, Lygodium is often capable of rapid re-establishment from abundant spores and rhizome regrowth following herbicide application. This often frustrates long-term control efforts and there is limited information on how herbicide treatments influence these post-treatment recruitment processes. Given these issues, there is a clear need for an aggressive herbicide screening program to develop new Lygodium management strategies.

The University of Florida Institute of Food and Agricultural Sciences is uniquely suited to carry out herbicide evaluations in cooperation with District invasive plant management scientists currently combating Lygodium in the Everglades and elsewhere. The District intends to enter into a five-year agreement with the University of Florida. Over a multi-year period, the University will work with the District's scientists to develop an accelerated herbicide screening program, address non-target injury, examine environmental factors in relation to management, and improve sequential treatment strategies for differing plant communities and environments.

**Core Mission and Strategic Priorities:**

Containment of highly invasive weeds such as Lygodium is a regional priority for the Florida Everglades. Cost effective control tools for these species is needed to both restore the ecological integrity of the Everglades Refuge and help ensure long-term sustainability of natural resource management programs.

**Staff Contact and/or Presenter:**

Francois Laroche, Section Administrator, Vegetation Management Section  
561-682-6193 / flaroche@sfwmd.gov



## SOUTH FLORIDA WATER MANAGEMENT DISTRICT

### Resolution No. 2016 - 0707

**A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into an Agreement with the University of Florida Board of Trustees through September 30, 2020 for the purpose of conducting herbicide evaluations and refining best management practices for the control of old world climbing fern, in an amount not-to-exceed \$252,434, of which \$15,014 of dedicated funds are budgeted; and the remainder is subject to Governing Board approval of the Fiscal Year 2017 through Fiscal Year 2020 budgets; providing an effective date. (Contract No. 4600001162)**

**WHEREAS**, the District implements a region-wide program aimed at limiting the extent and abundance of invasive exotic plants throughout the Everglades (Everglades Forever Acts. 373.4592, F.S);

**WHEREAS**, Old World climbing fern (*Lygodium microphyllum*) is an invasive exotic plant species, which aggressively overtakes native vegetation and degrades wildlife habitat throughout the District;

**WHEREAS**, continued refinements of the District's herbicide control program are needed to improve long-term control in a cost efficient manner;

**WHEREAS**, the University of Florida Institute of Food and Agricultural Sciences provides research and development expertise for herbicide control of natural area weeds; and

**NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:**

**Section 1.** The Governing Board of the South Florida Water Management District hereby approves the agreement with the University of Florida.

**Section 2.** This Resolution shall take effect immediately upon.

**PASSED and ADOPTED** this 14<sup>th</sup> day of July, 2016.

SOUTH FLORIDA WATER MANAGEMENT  
DISTRICT, BY ITS GOVERNING BOARD  
By:

\_\_\_\_\_  
Chairman

Attest:

\_\_\_\_\_  
District Clerk/Secretary

Legal form approved:  
By:

\_\_\_\_\_  
Office of Counsel

Print name:

## M E M O R A N D U M

**TO:** Governing Board Members

**FROM:** Dorothy Bradshaw, Director, Administrative Services Division

**DATE:** July 14, 2016

**SUBJECT:** Fiscal Year 2015-2016 Budget Amendment

### **Summary:**

Approval of an amendment to the Fiscal Year 2015-2016 Budget recognizing unanticipated intergovernmental revenue from the 2016 Legislative Session of \$469,460 for CERP planning, design, engineering and construction authorizing the Executive Director or designee to submit reimbursement requests in the amount of \$469,460 as funded by the Florida Legislature from the Save Our Everglades Trust Fund.

### **Additional Background:**

The district anticipates receiving funds from State Appropriation 1590 from the 2016 Legislative session to facilitate and support CERP planning, design and engineering. The funds become available at the beginning of the State's fiscal year 2016-2017 budget, July 1, 2016. The amendment requests to recognize a portion of these funds early to take advantage of the three month fiscal year difference between the state and the District. The amendment will fund \$200,000 for S-199 and S-200 design. If the design is not initiated this fiscal year, it will delay the project by 1-2 years due to sequential nature of the milestones. \$30,980 is for Lake Okeechobee Watershed Project engineering technical support. The official project kick off will occur on July 25, 2016 and employ the USACE's expedited SMART planning feasibility process which requires a tremendous amount of work be done within the first 90 days. \$238,480 is for the Western Everglades Project model development, application and post processing, moving water south feasibility and engineering technical support. Initiation of planning has been expedited due to several factors: a desire to address Tribal Nation concerns in the Western Everglades region, public/ political demands to send more water south instead of to the estuaries. Request for review and approval has been submitted to the Florida Department of Environmental Protection and the Executive Office of the Governor pursuant to the requirements of s. 373.536(4) (c), F.S.

### **Core Mission and Strategic Priorities**

This item provides funding to support the Comprehensive Everglades Restoration Plan projects consistent with the laws and regulations governing the use of the Save Our Everglades Trust Fund, as described above.

### **Funding Source**

The Funding Source is the Florida Department of Environmental Protection, Save Our Everglades Trust Fund.

### **Staff Contact and/or Presenter**

Dorothy Bradshaw, (561) 682-2823 / Matthew Morrison, (561) 682-6844



## SOUTH FLORIDA WATER MANAGEMENT DISTRICT

### Resolution No. 2016 - 0708

**A Resolution of the Governing Board of the South Florida Water Management District approving an amendment to the Fiscal Year 2015-2016 Budget recognizing unanticipated intergovernmental revenue from the 2016 Legislative Session of \$469,460 for CERP planning, design, engineering and construction authorizing the Executive Director or designee to submit reimbursement requests in the amount of \$469,460 as funded by the Florida Legislature from the Save Our Everglades Trust Fund; providing an effective date.**

**WHEREAS**, through the 2016 Legislature through Specific Appropriations, Line Item 1590, the Florida Legislature appropriated \$100 million from the Save Our Everglades Trust Fund for the planning, design, engineering and construction of Comprehensive Everglades Restoration Plan, of which this \$469,460 is a part of; and

**WHEREAS**, the Governing Board of the South Florida Water Management District on September 22, 2015 adopted Resolution No. 2015-0927 "Adoption of Budget for Fiscal Year 2015-2016"; and

**WHEREAS**, the Governing Board of the South Florida Water Management District on January 14, 2016 adopted Resolution No. 2016-0113 "Amendment of Budget for Fiscal Year 2015-2016"; and

**WHEREAS**, the Governing Board of the South Florida Water Management District on April 14, 2016 adopted Resolution No. 2016-0409 "Amendment of Budget for Fiscal Year 2015-2016"; and

**WHEREAS**, pursuant to Section 373.536(4) F.S., If the district receives unanticipated funds after the adoption of the final budget, the final budget may be amended, following review and approval by the Executive Office of the Governor; and

**WHEREAS**, pursuant to Section 373.536(4) F.S., the notice of intention to amend was published in the notice of the Governing Board meeting at which the Budget Amendment will be considered; and

**WHEREAS**, implementation of this budget amendment is contingent upon approval by the Executive Office of the Governor; and

**WHEREAS**, consistent with the appropriations language and in accordance with the procedures set forth by FDEP, the District shall request reimbursement based on project expenditures.

**NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:**

**Section 1.** The Executive Director of the South Florida Water Management District, or designee, is hereby authorized to request reimbursement of the funds based on actual expenditures incurred. The request to the Department will be in invoice format for the actual expenditures incurred by the South Florida Water Management District.

**Section 2.** These funds shall be subject to the requirements of the Section 215.97 Florida Statutes (The Florida Single Audit Act) and Section 216.181 (16) (b), Florida Statutes.

**Section 3.** That the Fiscal Year 2015-2016 Budget be amended as presented in Exhibit "A", which is attached hereto and made part hereof.

**Section 4.** This resolution shall take effect immediately upon adoption.

**PASSED** and **ADOPTED**, the 14<sup>th</sup> day of July, 2016.

SOUTH FLORIDA WATER MANAGEMENT  
DISTRICT, BY ITS GOVERNING BOARD  
By:

\_\_\_\_\_  
Chairman

Attest:

Legal form approved:  
By:

\_\_\_\_\_  
District Clerk/Secretary

\_\_\_\_\_  
Office of Counsel

Print name:

\_\_\_\_\_

## Exhibit A

Fiscal Year 2015-2016 Budget shall be amended as follows:

	GENERAL FUND	TOTAL SPECIAL REVENUE FUNDS	TOTAL CAPITAL PROJECTS FUNDS	INTERNAL SERVICE FUNDS	TRUST & AGENCY FUND	TOTAL AMENDED BUDGET
<b>ESTIMATED REVENUES, TRANSFERS AND BALANCES</b>						
<b>Estimated Fund Balance and Net Assets</b>						
Fund Balance, beginning of year (Net of Encumbrances)	\$45,990,081	\$171,709,546	\$144,340,112		\$15,214,116	\$377,253,855
Net Assets, beginning of year				13,309,454		13,309,454
<b>Sub-Total Estimated Fund Balance and Net Assets</b>	<b>45,990,081</b>	<b>171,709,546</b>	<b>144,340,112</b>	<b>13,309,454</b>	<b>15,214,116</b>	<b>390,563,309</b>
Encumbrances Funded By Fund Balance	8,367,384	42,451,034	72,332,125	33,613		123,184,156
<b>Total Estimated Fund Balance and Net Assets, beginning of year</b>	<b>54,357,465</b>	<b>214,160,580</b>	<b>216,672,237</b>	<b>13,343,067</b>	<b>15,214,116</b>	<b>513,747,465</b>
<b>Fiscal Year 2015-2016 Amended Revenue</b>	<b>117,372,418</b>	<b>210,236,291</b>	<b>160,466,612</b>	<b>35,868,576</b>	<b>0</b>	<b>523,943,897</b>
Intergovernmental			469,460			469,460
<b>Total Amended Revenues</b>	<b>117,372,418</b>	<b>210,236,291</b>	<b>160,936,072</b>	<b>35,868,576</b>	<b>0</b>	<b>524,413,357</b>
<b>OTHER FINANCING SOURCES (USES)</b>	<b>-22,584,340</b>	<b>-72,726,875</b>	<b>95,348,221</b>		<b>-37,006</b>	<b>0</b>
<b>TOTAL ESTIMATED REVENUES, OTHER FINANCING SOURCES (USES), TRANSFERS</b>	<b>\$149,145,543</b>	<b>\$351,669,996</b>	<b>\$472,956,530</b>	<b>\$49,211,643</b>	<b>\$15,177,110</b>	<b>\$1,038,160,822</b>
<b>BUDGETED EXPENDITURES AND ENCUMBRANCES</b>						
<b>Fiscal Year 2015-2016 Amended Expenditures</b>	<b>133,074,367</b>	<b>255,061,425</b>	<b>324,632,644</b>	<b>37,569,507</b>	<b>50,540</b>	<b>\$750,388,483</b>
<b>Everglades Policy &amp; Coordination</b>						
Acquisition, Restoration and Public Works			269,460			\$269,460
<b>Operations, Maintenance &amp; Construction</b>						
Acquisition, Restoration and Public Works			200,000			\$200,000
<b>Total Amended Expenditures</b>	<b>133,074,367</b>	<b>255,061,425</b>	<b>325,102,104</b>	<b>37,569,507</b>	<b>50,540</b>	<b>750,857,943</b>
Encumbrances (Estimate)	8,367,384	42,451,034	72,332,125	33,613		123,184,156
<b>TOTAL AMENDED EXPENDITURES AND ENCUMBRANCES</b>	<b>\$141,441,751</b>	<b>\$297,512,459</b>	<b>\$397,434,229</b>	<b>\$37,603,120</b>	<b>\$50,540</b>	<b>\$874,042,099</b>
<b>NET ASSETS, RESTRICTIONS, COMMITMENTS AND UNASSIGNED</b>						
<b>Net Assets (Self Insurance Fund Actuarial Need)</b>				\$5,452,783		\$5,452,783
<b>Net Assets (Health Self Insurance Fund - Fund Balance Utilization)</b>				6,155,740		6,155,740
<b>Nonspendable</b>	0	5,292,240	0	0	14,980,633	20,272,873
<b>Restricted</b>	0	48,865,297	75,522,301	0	145,937	124,533,535
<b>Committed</b>	7,703,792	0	0	0	0	7,703,792
<b>Total Amended Net Assets, Restrictions and Commitments</b>	<b>7,703,792</b>	<b>54,157,537</b>	<b>75,522,301</b>	<b>11,608,523</b>	<b>15,126,570</b>	<b>164,118,723</b>
<b>Unassigned</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TOTAL BUDGETED EXPENDITURES, ENCUMBRANCES, NET ASSETS, RESTRICTIONS, COMMITMENTS AND UNASSIGNED</b>	<b>\$149,145,543</b>	<b>\$351,669,996</b>	<b>\$472,956,530</b>	<b>\$49,211,643</b>	<b>\$15,177,110</b>	<b>\$1,038,160,822</b>

This resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 14<sup>th</sup> day of July, 2016

Approved as to form:

By:

Office of Counsel

SOUTH FLORIDA WATER MANAGEMENT DISTRICT,  
BY ITS GOVERNING BOARD

By:

Chairman

Print Name:

ATTEST:

District Clerk/Secretary

Attachment: Exhibit A\_ \$469K Amendment\_ Revised (Resolution No. 2016 - 0708 : Fiscal Year 2015-2016 Budget Amendment)

**M E M O R A N D U M**

**TO:** Governing Board Members

**FROM:** Ernie Marks, Director, Everglades Policy & Coordination

**DATE:** July 14, 2016

**SUBJECT:** Seminole Tribe of Florida



**M E M O R A N D U M**

**TO:** Governing Board Members

**FROM:** Peter Antonacci, Executive Director

**DATE:** July 14, 2016

**SUBJECT:** Emergency Order Concurrence Items

## **M E M O R A N D U M**

**TO:** Governing Board Members

**FROM:** Ernie Marks, Director, Everglades Policy & Coordination

**DATE:** July 14, 2016

**SUBJECT:** Authorize the Executive Director to procure commodities, equipment, and services

# **SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

## **Resolution No. 2016 - 0709**

**A Resolution of the Governing Board of the South Florida Water Management District authorizing the Executive Director to procure commodities, equipment, and services needed to respond to the emergency conditions identified in State of Florida Office of the Governor Executive Order Nos. 16-155 and 16-156 regarding increased algae blooms in area waterbodies.**

**WHEREAS**, On June 29, 2016, and June 30, 2016, the Governor of Florida issued Executive Orders No. 16-155 and 16-156 ("Orders") declaring that a State of Emergency exists throughout Martin, St. Lucie, Lee and Palm Beach Counties, based upon the serious threat to the public health, safety and welfare posed by algae blooms that have developed in many waterbodies; and

**WHEREAS**, the increase in algae blooms have unreasonably interfered with the health, safety, and welfare of the State of Florida and its residents; and

**WHEREAS**, the increase in algae blooms has increased the potential of harm to the health of our citizens and environmental harm to the aquatic ecosystem, by lowering oxygen levels needed by aquatic species; and

**WHEREAS**, the release of these waters, the algae blooms, and the issuance of health advisories has caused economic losses in Martin, St. Lucie, Lee and Palm Beach Counties and the adjacent communities; and

**WHEREAS**, the Orders found that the special duties and responsibilities resting upon some State, regional, and local agencies and other govern-mental bodies in responding to the emergency may require them to waive or deviate from the statutes, rules, ordinances, and orders they administer and to suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business or the orders or rules of that agency, if strict compliance with the provisions of any such statute, order, or rule would in any way prevent, hinder, or delay necessary action in coping with the emergency. This includes, but is not limited to, the authority to suspend any and all statutes, rules, ordinances, or orders which affect leasing, printing, procurement, purchasing, travel, and the condition of employment and the compensation of employees; and

**WHEREAS**, the Florida Department of Environmental Protection and the South Florida Water Management District have identified additional water storage projects to reduce the pressure that increased releases are putting on the affected waterbodies; and

**WHEREAS**, in order to store additional water, the South Florida Water Management District will request or undertake activities on both privately-owned and publicly-owned lands such as:

- Holding additional water in the Kissimmee River Basin
- Increased discharges into L-8 Canal
- Expediting the DuPuis Wildlife Management Area Dispersed Water Management project
- Constructing a 320-acre impoundment at Section C Water Farm located in the C-23/C-24 basin
- Temporary water storage at Florida Power and Light's C-44 cooling pond
- Emergency pumping at Bluefield Grove
- Emergency pumping at Caulkins Citrus
- Emergency pumping at Sunrise Grove

**WHEREAS**, Under Section 155-7(2) of the District Policies Code whenever the Governor of the State of Florida issues an emergency order temporarily suspending the application of any specified laws otherwise applicable to the operations of the District, then the Executive Director of the District shall have the authority to undertake all such actions, without competition, regarding the procurement of commodities, equipment and services so required to deal with the emergency conditions up to the next meeting of the Governing Board notwithstanding that such authority resides in the Governing Board.

**NOW, THEREFORE BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:**

**Section 1.** The Governing Board determines that emergency conditions exist and further emergency procurement of commodities, equipment and services is required related to the Executive Orders.

**Section 2.** Under the authority of Florida Statute sections 373.083(5) and 373.536(4)(d), the Governing Board hereby delegates to the Executive Director of the District, or the Executive Director's designee, the authority to undertake all such future actions, without competition, regarding the procurement of commodities, equipment and services needed to deal with the emergency conditions referenced in the Executive Orders.

**Section 3.** Under the authority of Florida Statute section 373.536(4)(d) and this Resolution, the Executive Director is not limited by the budget but may expend funds made available for the emergency or as may be procured for such purpose. The Executive Director may expend all funds for these emergency purposes without prior Governing Board authorization or approval of a budget amendment.

**Section 4.** When a budget amendment is needed because the District receives unanticipated budgetary funds, the Executive Director will present a budget amendment to the Governing Board at its next meeting pursuant to Florida Statute section 373.536(4)(c).

**Section 5.** The Governing Board's procurement delegation to the Executive Director of the District for these declared emergency conditions is limited to an aggregate of \$5,000,000 and shall cease upon expiration of the Orders.

**Section 6.** The Executive Director shall report all such emergency expenditures to the Governing Board, the Executive Office of the Governor, and the Legislative Budget Commission as soon as practical, but within 30 days after the action.

**Section 7.** This resolution shall take effect immediately upon adoption.



**PASSED** and **ADOPTED** this 14th day of July, 2016

SOUTH FLORIDA WATER MANAGEMENT  
DISTRICT, BY ITS GOVERNING BOARD  
By:

\_\_\_\_\_  
Chairman

Attest:

Legal form approved:  
By:

\_\_\_\_\_  
District Clerk/Secretary

\_\_\_\_\_  
Office of Counsel

Print name:

## MEMORANDUM

**TO:** Governing Board Members

**FROM:** Dorothy Bradshaw, Director, Administrative Services Division

**DATE:** July 14, 2016

**SUBJECT:** Amendment to the Fiscal Year 2015-2016 Budget associated with Executive Order

### Summary:

Approve an amendment to the Fiscal Year 2015-2016 Budget to execute activities associated with Executive Order Number 16-155 and 16-156 (Emergency Management - Lake Okeechobee Discharge) recognizing fund balance of \$2,600,000.

### Additional Background:

Governor Scott has issued an emergency declaration to address the increased number of algae blooms during the month of June 2016. The Florida Department of Environmental Protection, the state's five water management districts, the Florida Department of Health, the Florida Fish and Wildlife Conservation Commission and other state agencies all work together to respond to algal blooms. In support of Governor Scott's direction the South Florida Water Management District is taking the following actions:

- Store additional water north of Lake Okeechobee in the Kissimmee Chain of Lakes;
- Work with state and community partners to explore every opportunity to increase water flowing south from Lake Okeechobee;
- Store additional water through dispersed water storage projects.
- Holding additional water in the Kissimmee River Basin
- Increased discharges into L-8 Canal
- Expediting the DuPuis Wildlife Management Area Dispersed Water Management project
- Constructing a 320-acre impoundment at Section C Water Farm located in the C-23/C-24 basin
- Temporary water storage at Florida Power and Light's C-44 cooling pond
- Emergency pumping at Bluefield Grove
- Emergency pumping at Caulkins Citrus
- Emergency pumping at Sunrise Grove

The District will implement the Governor's executive orders by accelerating associated activities to address the emergency at additional locations as they are developed.

### Core Mission and Strategic Priorities

Our mission is to protect South Florida's water resources by balancing and improving flood control, water supply, water quality, and natural systems.

### Funding Source

The Funding Source is ad valorem fund balance without restrictions of \$2,600,000.

### Staff Contact and/or Presenter

Dorothy Bradshaw, (561) 682-2823/John Mitnik, (561) 682-2679

# **SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

## **Resolution No. 2016 - 0710**

**A Resolution of the Governing Board of the South Florida Water Management District to approve an amendment to the Fiscal Year 2015-2016 Budget recognizing \$2,600,000 of fund balance to execute activities associated with Executive Order Nos. 16-155 and 16-156; providing an effective date.**

**WHEREAS**, the Governing Board of the South Florida Water Management District on September 22, 2015 adopted Resolution No. 2015-0927 "Adoption of Budget for Fiscal Year 2015-2016"; and

**WHEREAS**, the Governing Board of the South Florida Water Management District on January 14, 2016 adopted Resolution No. 2016-0113 "Amendment of Budget for Fiscal Year 2015-2016"; and

**WHEREAS**, the Governing Board of the South Florida Water Management District on April 14, 2016 adopted Resolution No. 2016-0409 "Amendment of Budget for Fiscal Year 2015-2016"; and

**WHEREAS**, Rick Scott, Governor of Florida, issued Executive Order No. 16-155 (Emergency Management - Lake Okeechobee Discharge), on June 29, 2016; and amended Executive Order No. 16-155 and issued Executive Order No. 16-156 (Emergency Management - Lake Okeechobee Discharge), on June 30, 2016; and

**WHEREAS**, pursuant to Section 373.536(4) F.S., if the district receives unanticipated funds after the adoption of the final budget, the final budget may be amended, following review and approval by the Executive Office of the Governor; and

**WHEREAS**, pursuant to Section 373.536(4) F.S., the notice of intent to amend was published in the notice of the Governing Board meeting at which the Budget Amendment will be considered; and

**WHEREAS**, implementation of this budget amendment is contingent upon approval by the Executive Office of the Governor; and

**WHEREAS**, a request is being brought to the Governing Board for the authorization to transfer these funds within the District's Fiscal Year 2015-2016 budget; and

**NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:**

**Section 1.** That Rick Scott, Governor of Florida, issued Executive Order No. 16-155 (Emergency Management - Lake Okeechobee Discharge), on June 29, 2016; and amended Executive Order No. 16-155 and issued Executive Order No. 16-156 (Emergency Management - Lake Okeechobee Discharge), on June 30, 2016; and

**Section 2.** That the Fiscal Year 2015-2016 Budget be amended as presented in Exhibit "A", which is attached hereto and made part hereof.

**Section 3.** The Governing Board of the South Florida Water Management District approves authorization to transfer these funds within the District's Fiscal Year 2015-2016 budget.



**Section 4.** This resolution shall take effect immediately upon adoption.

**PASSED** and **ADOPTED**, the 14<sup>th</sup> day of July, 2016.

SOUTH FLORIDA WATER MANAGEMENT  
DISTRICT, BY ITS GOVERNING BOARD  
By:

\_\_\_\_\_  
Chairman

Attest:

Legal form approved:

By:

\_\_\_\_\_  
District Clerk/Secretary

\_\_\_\_\_  
Office of Counsel

Print name:

## Exhibit A

Fiscal Year 2015-2016 Budget shall be amended as follows:

	GENERAL FUND	TOTAL SPECIAL REVENUE FUNDS	TOTAL CAPITAL PROJECTS FUNDS	INTERNAL SERVICE FUNDS	TRUST & AGENCY FUND	TOTAL AMENDED BUDGET
<b>ESTIMATED REVENUES, TRANSFERS AND BALANCES</b>						
<b>Estimated Fund Balance and Net Assets</b>						
Fund Balance, beginning of year (Net of Encumbrances)	\$45,990,081	\$171,709,546	\$144,340,112		\$15,214,116	\$377,253,855
Net Assets, beginning of year				13,309,454		13,309,454
<b>Sub-Total Estimated Fund Balance and Net Assets</b>	<b>45,990,081</b>	<b>171,709,546</b>	<b>144,340,112</b>	<b>13,309,454</b>	<b>15,214,116</b>	<b>390,563,309</b>
Encumbrances Funded By Fund Balance	8,367,384	42,451,034	72,332,125	33,613		123,184,156
<b>Total Estimated Fund Balance and Net Assets, beginning of year</b>	<b>54,357,465</b>	<b>214,160,580</b>	<b>216,672,237</b>	<b>13,343,067</b>	<b>15,214,116</b>	<b>513,747,465</b>
<b>Fiscal Year 2015-2016 Amended Revenue</b>	<b>117,372,418</b>	<b>210,236,291</b>	<b>160,466,612</b>	<b>35,868,576</b>	<b>0</b>	<b>523,943,897</b>
Intergovernmental			469,460			469,460
<b>Total Amended Revenues</b>	<b>117,372,418</b>	<b>210,236,291</b>	<b>160,936,072</b>	<b>35,868,576</b>	<b>0</b>	<b>524,413,357</b>
<b>OTHER FINANCING SOURCES (USES)</b>	<b>-22,584,340</b>	<b>-72,726,875</b>	<b>95,348,221</b>		<b>-37,006</b>	<b>0</b>
<b>TOTAL ESTIMATED REVENUES, OTHER FINANCING SOURCES (USES), TRANSFERS</b>	<b>\$149,145,543</b>	<b>\$351,669,996</b>	<b>\$472,956,530</b>	<b>\$49,211,643</b>	<b>\$15,177,110</b>	<b>\$1,038,160,822</b>
<b>BUDGETED EXPENDITURES AND ENCUMBRANCES</b>						
<b>Fiscal Year 2015-2016 Amended Expenditures</b>	<b>133,074,367</b>	<b>255,061,425</b>	<b>324,632,644</b>	<b>37,569,507</b>	<b>50,540</b>	<b>\$750,388,483</b>
<b>Everglades Policy &amp; Coordination</b>						
Acquisition, Restoration and Public Works			269,460			\$269,460
<b>Operations, Maintenance &amp; Construction</b>						
Acquisition, Restoration and Public Works			200,000			\$200,000
Operations & Maintenance of Lands and Works		2,600,000				\$2,600,000
<b>Total Amended Expenditures</b>	<b>133,074,367</b>	<b>257,661,425</b>	<b>325,102,104</b>	<b>37,569,507</b>	<b>50,540</b>	<b>753,457,943</b>
Encumbrances (Estimate)	8,367,384	42,451,034	72,332,125	33,613		123,184,156
<b>TOTAL AMENDED EXPENDITURES AND ENCUMBRANCES</b>	<b>\$141,441,751</b>	<b>\$300,112,459</b>	<b>\$397,434,229</b>	<b>\$37,603,120</b>	<b>\$50,540</b>	<b>\$876,642,099</b>
<b>NET ASSETS, RESTRICTIONS, COMMITMENTS AND UNASSIGNED</b>						
<b>Net Assets (Self Insurance Fund Actuarial Need)</b>				\$5,452,783		\$5,452,783
<b>Net Assets (Health Self Insurance Fund - Fund Balance Utilization)</b>				6,155,740		6,155,740
<b>Nonspendable</b>	0	5,292,240	0	0	14,980,633	20,272,873
<b>Restricted</b>	0	48,865,297	75,522,301	0	145,937	124,533,535
Recognition of fund balance for Executive Order 16-155		(2,600,000)				(2,600,000)
<b>Committed</b>	7,703,792	0	0	0	0	7,703,792
<b>Total Amended Net Assets, Restrictions and Commitments</b>	<b>7,703,792</b>	<b>51,557,537</b>	<b>75,522,301</b>	<b>11,608,523</b>	<b>15,126,570</b>	<b>161,518,723</b>
<b>Unassigned</b>	0	0	0	0	0	0
<b>TOTAL BUDGETED EXPENDITURES, ENCUMBRANCES, NET ASSETS, RESTRICTIONS, COMMITMENTS AND UNASSIGNED</b>	<b>\$149,145,543</b>	<b>\$351,669,996</b>	<b>\$472,956,530</b>	<b>\$49,211,643</b>	<b>\$15,177,110</b>	<b>\$1,038,160,822</b>

**MEMORANDUM**

**TO:** Governing Board Members

**FROM:** Peter Antonacci, Executive Director

**DATE:** July 14, 2016

**SUBJECT:** Authorize letter requesting the USACE to take immediate action

**Summary:**

In response to algae blooms in South Florida this summer, the most meaningful, timely, and effective assistance that the U.S. Congress can provide is adequate government funding for the U.S. Army Corps of Engineers to complete repairs to the Herbert Hoover Dike around Lake Okeechobee. Years of government failure to maintain and repair the dike has left the 80-year-old structure, in the Corps' own assessment, "critically near failure or extremely high risk" and unable to hold water at higher levels. As a result, the Corps has responded to historic rainfall in 2016 by sending billions of gallons of water east into the Indian River Lagoon and St. Lucie River and Estuary and west to the Caloosahatchee River and Estuary, contributing to the algae blooms. With emergency funding to accelerate the last half of dike repairs, the Corps could stop the devastating discharges and store more water in Lake Okeechobee as required according to system conditions.

## SOUTH FLORIDA WATER MANAGEMENT DISTRICT

### Resolution No. 2016 - 0711

**A Resolution of the Governing Board of the South Florida Water Management District advising the U.S. Congress to appropriate emergency funding necessary to complete repair and rehabilitation of the Herbert Hoover Dike around Lake Okeechobee as soon as possible. This action will make more storage available in the lake and reduce harmful discharges into the St. Lucie and Caloosahatchee estuaries.**

**WHEREAS**, years of government failure to maintain and repair the Herbert Hoover Dike around Lake Okeechobee has left the 80-year-old structure, in the U.S. Army Corps of Engineers' own assessment, "critically near failure or extremely high risk;"

**WHEREAS**, because of this structural vulnerability, the lake is unable to properly function as the "liquid heart" of South Florida's regional system, as intended, to provide flood protection, water storage, and water supply for millions of residents, businesses, and the Everglades;

**WHEREAS**, the Corps asserts that lake levels could be higher, yet because of inadequate maintenance and repair of the dike, the lake has been holding substantially less water;

**WHEREAS**, historic rainfall in 2016 significantly increased the lake level and once again highlighted the dike's lack of maintenance by forcing the Corps to send billions of gallons of water east into the Indian River Lagoon and St. Lucie River and Estuary and west to the Caloosahatchee River and Estuary to prevent a potential structural failure;

**WHEREAS**, the devastating and unnatural releases are a contributing factor in the development of massive algae blooms that are harmful to humans, wildlife, South Florida's ecosystems, and economy;

**WHEREAS**, Governor Scott declared a state of emergency in several counties and has asked for a federal emergency declaration because of the effects of algae blooms;

**WHEREAS**, adequate government funding for the Corps to complete repairs to the dike is the most meaningful, timely, and effective federal assistance to provide additional water storage capacity and therefore relief for South Florida families in this ongoing public health and safety crisis;

**WHEREAS**, since 2007, Congress has appropriated more than \$500 million for dike repair and rehabilitation in order to complete only about half the necessary work;

**NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT THAT:**

Congress appropriate emergency funding to complete the last half of repair and rehabilitation of the Herbert Hoover Dike around Lake Okeechobee; and,

Congress direct the Corps to deploy all available resources to accelerate construction; and,

Congress direct the Corps, once repairs are complete, to stop the devastating discharges to the St. Lucie and Caloosahatchee rivers and estuaries and store more water in Lake Okeechobee as required according to system conditions.

**PASSED UNANIMOUSLY** and **ADOPTED** this 14th day of July, 2016.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT,  
BY ITS GOVERNING BOARD By:

\_\_\_\_\_  
Chairman

Attest: \_

\_\_\_\_\_  
District Clerk/Secretary



**M E M O R A N D U M**

**TO:** Governing Board Members

**FROM:** Peter Antonacci, Executive Director

**DATE:** July 14, 2016

**SUBJECT:** Support Governor Rick Scott's Indian River Lagoon and Caloosahatchee Cleanup proposed Initiative

**Summary:**

While the most high-profile contributor to current algae blooms impacting the Indian River Lagoon and Caloosahatchee estuaries is releases from Lake Okeechobee made by the U.S. Army Corps of Engineers, scientific research shows local contributors such as failing septic tanks are providing excess nutrients for the algae to feed. Between 2011 and 2015, local basin runoff - including water from septic systems - accounted for an average of 79% of the total inflows to the St. Lucie Estuary, 79% of the total nitrogen load, and 87% of the total phosphorus load. Governor Scott's Indian River Lagoon and Caloosahatchee Cleanup Initiative would invest in communities along the St. Lucie and Caloosahatchee estuaries to prevent failed septic systems from leaking nutrients that fuel harmful algae blooms such as those currently being experienced in local waterways.

## SOUTH FLORIDA WATER MANAGEMENT DISTRICT

### Resolution No. 2016 - 0712

**A Resolution of the Governing Board of the South Florida Water Management District advising the Florida Legislature to adopt Governor Scott's proposed Indian River Lagoon and Caloosahatchee Cleanup Initiative. This voluntary 50/50 matching grant program would encourage residents in communities surrounded by bodies of water affected by algae blooms to replace septic tanks with sewer systems in order to curb pollution that is currently fueling the algae blooms.**

**WHEREAS**, while the most high-profile contributor to current algae blooms impacting the Indian River Lagoon and Caloosahatchee estuaries is releases from Lake Okeechobee made by the U.S. Army Corps of Engineers, scientific research shows local contributors such as failing septic tanks are providing excess nutrients for the algae to feed;

**WHEREAS**, the work of research professor Dr. Brian Lapointe and his team at the Florida Atlantic University Harbor Branch Oceanographic Institute indicates that wastewater - specifically septic tanks - is the major source of excess nitrogen in the Indian River Lagoon and has likely been underestimated by past nutrient loading models;

**WHEREAS**, the South Florida Water Management District Governing Board acknowledges simply stopping lake releases or storing water is not enough to solve our water quality problems and that algae blooms occurred in years when there were no lake releases;

**WHEREAS**, the Florida Department of Health, which permits new septic tanks and the repair of existing systems, estimates that as of 2015 there were more than 150,000 septic systems in Martin, St. Lucie and Palm Beach counties alone;

**WHEREAS**, between 2011 and 2015, local basin runoff - including water from septic systems - accounted for an average of 79% of the total inflows to the St. Lucie Estuary, 79% of the total nitrogen load and 87% of the total phosphorus load,

**NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT THAT:**

The Florida Legislature adopt Governor Scott's Indian River Lagoon and Caloosahatchee Cleanup Initiative as part of the 2017 State budget and make relevant amendments to law as an investment in the communities along the St. Lucie and Caloosahatchee estuaries to prevent failed septic systems from leaking nutrients that fuel harmful algae blooms such as those we are currently experiencing in our local waterways.

**PASSED UNANIMOUSLY and ADOPTED** on this 14<sup>th</sup> day of July, 2016.

SOUTH FLORIDA WATER MANAGEMENT  
DISTRICT, BY ITS GOVERNING BOARD  
By:

---

Chairman

Attest:

---

District Clerk/Secretary

**MEMORANDUM**

**TO:** Governing Board Members

**FROM:** Tim Beirnes, Inspector General

**DATE:** July 14, 2016

**SUBJECT:** Approval of the Fiscal Year 2015 Comprehensive Annual Financial Report, Audit Management Letter.

**Summary:**

The District's external audit firm completed their audit of the District's financial statements for the fiscal year ending September 30, 2015. This annual independent financial audit was performed to fulfill the requirements of Part III, Chapter 218, Florida Statutes. The audit examines the financial records and statements of the District in order to form opinions of the District's financial statements. These audits are performed in accordance with generally accepted auditing standards as set forth by the American Institute of Certified Public Accountants, the rules of the Auditor General of the State of Florida, and the standards for financial audits set forth by the US Office of Management and Budget revised Circular A-133, Audits of State, Local Governments and Non-Profit Organizations.

**MEMORANDUM**

**TO:** Governing Board Members

**FROM:** Tim Beirnes, Inspector General

**DATE:** July 14, 2016

**SUBJECT:** Inspector General's Audit Reports

**Summary:**

The following audit reports are completed: Audit of the Permit Application Process, Audit of the IT Resource Approval Process Audit, and the approval of the Fiscal Year 2015 Comprehensive Annual Financial Report, Audit Management Letter, and Single Audit Report.

The Audit and Finance Committee Charter provides for the Board's review and approval of audit reports. Additionally the Office Inspector General Peer Review Report was completed on April 28, 2016. The report covering the three year period ended December 31, 2015. Florida State statutes [20.055(6)(a)], require inspector general's to perform audits in accordance with Government Auditing Standards promulgated by the Comptroller General of the United States. One of those standards requires an external independent peer review once every three years to assess the audit organization's conformance with applicable professional standards.

The peer review process can result in three levels of compliance: 1) Pass, 2) Pass with Deficiencies, or 3) Failure. The Inspector General's Office received a "Pass" compliance report, which means that in the reviewers opinion the Office of Inspector General's quality control system was suitably designed and operating effectively to provide reasonable assurance of compliance with applicable *Government Auditing Standards* for audits completed during the period January 1, 2013 through 31, 2015.



**M E M O R A N D U M**

**TO:** Governing Board Members

**FROM:** Ernie Marks, Director, Everglades Policy & Coordination

**DATE:** July 14, 2016

**SUBJECT:** C-111 South Dade Project Agreement to Develop a Post Authorization Change Report

**SOUTH FLORIDA WATER MANAGEMENT  
DISTRICT Resolution No. 2016 - 0713**

**ITEM POSTPONED**

## M E M O R A N D U M

**TO:** Governing Board Members

**FROM:** John P. Mitnik, Director, Operations, Engineering & Construction

**DATE:** July 14, 2016

**SUBJECT:** Amendment No. 1 to Agreement with Broward County for the S-9 Pump

**Summary:**

The S-9 Pump Station Access Bridge was completed in 1957 by the Army Corps of Engineers. The bridge is located at the western terminus of Griffin Road in western Broward County and provides access to the S-9/S-9A Pump Stations and Everglades Holiday Park over the L-37/L-33 borrow canals. Broward County desires to replace the existing S-9 Access Bridge with a two (2) lane bridge. SFWMD and Broward County have an existing 50/50 cost-share agreement for this project, with Broward County providing all design and construction of the new bridge, and SFWMD participation in a review and advisory capacity. Due to site access restrictions during construction, additional cost-share funding is required in an amount not-to-exceed \$400,000.

**Core Mission and Strategic Priorities:**

One of the District's most critical missions is flood control. The replacement of the S-9 Access Bridge will not prohibit the District from continuing to provide flood control and seepage management in the western C-11 Canal basin. Inspections of the S-9 Access Bridge have documented that it is in deteriorating condition and does not meet current District and FDOT standards for load capacity and minimum safety requirements. The replacement of the S-9 Access Bridge is necessary to enable levee and pump station maintenance equipment to cross the L-36 borrow canal and minimize safety issues with line of sight and pedestrian use. Cost-sharing the bridge replacement with Broward County will save District budget expenditures to correct these deficiencies, provide improved access to District facilities, and allow post-project operation and maintenance cost sharing responsibilities.

**Funding Source:**

The District's funding contribution to the project shall be fifty percent (50%), or an amount not-to-exceed \$1,200,000, of the design and construction costs combined. The funding contribution by the District will be based upon the design and construction approval of the project milestones for which capital program funds, up to a maximum of \$1,200,000, is subject to Governing Board approval of the Fiscal Year 2016-2017 budget.

**Staff Contact and/or Presenter:**

John Mitnik, Division Director, Operations, Engineering and Construction  
561-682-2679 / jmitnik@sfwmd.gov

## MEMORANDUM

**TO:** Governing Board Members

**FROM:** John P. Mitnik, Director, Operations, Engineering & Construction

**DATE:** July 14, 2016

**SUBJECT:** Construction of the Ten Mile Creek Rehabilitation Project

### Summary

The Ten Mile Creek Water Preserve Area (WPA) is located on the south bank of Ten Mile Creek, immediately west of both the Florida Turnpike and Interstate 95 in Fort Pierce, Florida. The Ten Mile Creek WPA consists of a 526-acre reservoir designed for water storage, and a 132-acre wetland Treatment Cell designed for water quality improvement prior to discharge. The facility was originally constructed by the USACE but was not operated for several years due to deficiencies associated with the safety of its embankment. During the 2015 wet season, the SFWMD was approved to operate the reservoir at a limited approximately 1 foot depth, up to elevation 19.0' NGVD. In May 2016, the project was de-authorized by the USACE and returned to the SFWMD to complete a remediation project that would allow for an increased level of storage, albeit less than the level anticipated during the reservoir's original design and construction.

The objective of this remediation project is to improve the level of service of the reservoir by increasing its maximum stage from 19.0' NGVD to 22.0' NGVD. The project includes filling of the reservoir's interior collector ditch and repairing areas of the apron in order to reduce levels of seepage and improve factors of safety associated with the reservoir's embankment. These improvements in the capacity of the facility will assist in improving the timing and quality of freshwater flows into the North Fork of the St. Lucie River, assist in water supply when stored water is available, and may also assist in reducing flooding during high rainfall events in the region. Implementing the Ten Mile Creek Rehabilitation Project is anticipated to result in improvement of the District's ability to provide water storage and treatment in the Ten Mile Creek Basin, resulting in environmental enhancement to the North Fork of the St. Lucie River.

### Core Mission and Strategic Priorities

The Ten Mile Creek Rehabilitation Project supports the District's missions of Environmental Restoration and Water Supply.

### Funding Source

The lowest responsive and responsible bidder is Great Lakes Environmental & Infrastructure, LLC, with a total amount of \$5,767,400, all of which is budgeted.

### Staff Contact and/or Presenter

John P. Mitnik, P.E., Division Director, Operations, Engineering and Construction  
561-682-2679 / jmitnik@sfwmd.gov

## SOUTH FLORIDA WATER MANAGEMENT DISTRICT

### Resolution No. 2016 - 0714

**A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a 260-day contract with Great Lakes Environmental & Infrastructure, LLC, the lowest responsive and responsible bidder, for the Ten Mile Creek Rehabilitation Project, in the amount of \$5,767,400, of which \$5,767,400 is budgeted; providing an effective date. (Contract No. 4600003444)**

**WHEREAS**, the Governing Board of the South Florida Water Management District deems it necessary, appropriate, and in the public interest to authorize entering into a 260-day contract with Great Lakes Environmental & Infrastructure, LLC, the lowest responsive and responsible bidder for the construction of the Ten Mile Creek Rehabilitation Project, in the amount of \$5,767,400.

**NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:**

**Section 1.** The Governing Board of the South Florida Water Management District hereby approves the 260-day contract with Great Lakes Environmental & Infrastructure, LLC for the construction of the Ten Mile Creek Rehabilitation, in the amount of \$5,767,400.

**Section 2.** This resolution shall take effect immediately upon adoption.

**PASSED and ADOPTED** this 14<sup>th</sup> day of July, 2016.

SOUTH FLORIDA WATER MANAGEMENT  
DISTRICT, BY ITS GOVERNING BOARD

By:

\_\_\_\_\_  
Chairman

Attest:

Legal form approved:

By:

\_\_\_\_\_  
District Clerk/Secretary

\_\_\_\_\_  
Office of Counsel

Print name:



## MEMORANDUM

**TO:** Governing Board Members

**FROM:** John P. Mitnik, Director, Operations, Engineering & Construction

**DATE:** July 14, 2016

**SUBJECT:** S-5A Repowering and Automation Project

**Summary:**

The Pump Station S-5A Repowering and Automation Project is intended to be constructed by the District over the next five (5) years. This project is an integral component of the District's 10-year Strategic Plan to refurbish the infrastructure of the Central and Southern Florida Flood Control Project. This item is necessary to maintain the operation of the station for at least the next 50 years. The S-5A Pump Station provides flood control for the S-5A Basin.

**Core Mission and Strategic Priorities:**

This contract will support the primary purpose of the pumping station, which is to pump surplus water from the L-10 and L-12 basins, and the S-5A agricultural area northwesterly of the pumping station into STA-1W, at the rate of 3/4 inch per day, from the 230-square mile tributary drainage area. The District has access to the project lands/sites, has completed the design, and has received the permits for the Pump Station S-5A Repowering and Automation Project.

**Funding Source:**

The lowest responsive and responsible bidder is PC Construction Company, in the amount of \$56,526,000, for which \$1,980,520 is budgeted, and the remainder is subject to Governing Board approval of future years' budgets.

**Staff Contact and/or Presenter:**

John P. Mitnik, P.E., Division Director, Operations, Engineering and Construction  
561-682-2679 / jmitnik@sfwmd.gov

## SOUTH FLORIDA WATER MANAGEMENT DISTRICT

### Resolution No. 2016 - 0715

**A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a 1,885-day contract with PC Construction Company, the lowest responsive and responsible bidder, for the Pump Station S-5A Repowering and Automation Project, in the amount of \$56,526,000, for which \$1,980,520 is budgeted, and the remainder is subject to Governing Board approval of future years' budgets. (Contract No. 4600003443)**

**WHEREAS**, the Pump Station S-5A Repowering and Automation Project is a component of the 10-year Strategic Plan, in Palm Beach County, Florida; and

**WHEREAS**, construction of the Pump Station S-5A Repowering and Automation Project is necessary to meet the District's 10-year Strategic Plan to refurbish the infrastructure of the Central and Southern Florida Flood Control Project.

**WHEREAS**, the Governing Board of the South Florida Water Management District deems it necessary, appropriate, and in the public interest to authorize entering into a 1,885-day contract with PC Construction Company, the lowest responsive and responsible bidder, for the Pump Station S-5A Repowering and Automation Project, in the amount of \$56,526,000, for which \$1,980,520 is budgeted, and the remainder is subject to Governing Board approval of future years' budgets. (Contract No. 4600003443)

**NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:**

**Section 1.** The Governing Board of the South Florida Water Management District hereby approves the 1,885-day contract with PC Construction Company for the construction of the Pump Station S-5A Repowering and Automation Project, in the amount of \$56,526,000.

**Section 2.** This resolution shall take effect immediately upon adoption.

**PASSED and ADOPTED** this 14<sup>th</sup> day of July, 2016.

SOUTH FLORIDA WATER MANAGEMENT  
DISTRICT, BY ITS GOVERNING BOARD  
By:

\_\_\_\_\_  
Chairman

Attest:

\_\_\_\_\_  
District Clerk/Secretary

Legal form approved:  
By:

\_\_\_\_\_  
Office of Counsel

Print name:

**M E M O R A N D U M**

**TO:** Governing Board Members

**FROM:** Richard Bassell, Division Director

**DATE:** July 14, 2016

**SUBJECT:** Cattle grazing lease on 1,831.52 acres in Martin County, known as Brady Ranch

**SOUTH FLORIDA WATER MANAGEMENT**  
**DISTRICT Resolution No. 2016 - 0716**

**ITEM POSTPONED**



Exhibit A

da\_re\_207\_ExhA\_Palmer\_Lease\_amendment\_Brady.pdf

37.a



IMPORTANT DISCLAIMER:  
This map is a conceptual or planning tool only.  
The South Florida Water Management District  
does not guarantee or make any representation  
regarding the information contained herein. It is  
not self-executing or binding, and does not affect  
the interests of any persons or properties, including  
any present or future right or use of real property.

2012 Martin County 1-Foot Natural Color Aerial Photography



South Florida Water Management District  
3301 Gun Club Road, West Palm Beach, Florida 33406  
561-686-8800 - FL WATS 1-800-432-2045 - www.sfwmd.gov  
MAILING ADDRESS: P.O. Box 24680 - West Palm Beach, FL 33416-4680



**Taylor Creek / Nubbin Slough  
Storage and Treatment Area**  
Lease No. MD100-050  
Townships 38 and 39 South  
Range 37 East



0 0.25 0.5  
Miles



**UPDATED**  
05-MAR-2015



Geography  
GIS  
Land Resources



**MEMORANDUM**

**TO:** Governing Board Members

**FROM:** Richard Bassell, Division Director

**DATE:** July 14, 2016

**SUBJECT:** Environmental Risk Assessment Services

**Summary:**

Staff is seeking approval to authorize the District enter into negotiations with the objective of executing a contract to perform Environmental Risk Assessment (ERA) services with each of the six environmental consulting firms selected through a Consultant Competitive Negotiation Act solicitation process. Each approved contract establishes a means to issue work orders for District services on an as needed basis.

The services assessable within this contract would include Phase I/II environmental assessments, ecological risk assessments, contamination remediation design and implementation, air monitoring/reporting/permitting, interim land use Best Management Plans petroleum storage tank system management, hazardous/industrial waste management, asbestos surveys / abatement and demolition, closure of septic tanks / water wells, emergency response activities and other related ERA activities. The contracts are necessary to provide Environmental Services and technical support to the District's Real Estate, Operations, Engineering & Construction, Field Operations & Land Management, Everglades Policy & Coordination Divisions and the Office of Counsel. The awarded contracts would establish a pool of qualified environmental consulting firms, processing the depth of experience, skill, personnel and equipment to assist District staff.

## **M E M O R A N D U M**

**TO:** Governing Board Members

**FROM:** Richard Bassell, Division Director

**DATE:** July 14, 2016

**SUBJECT:** Environmental Risk Assessment Services Contract(s) – AECOM Technical Services, Inc.

### **Summary:**

This memorandum is to request that the District enter into negotiations with the objective of executing a contract to perform Environmental Risk Assessment (ERA) services with each of the six (6) environmental consulting firms selected through a Consultant Competitive Negotiation Act (CCNA) solicitation process. Each approved contract establishes a means to issue work orders for District services on an as needed basis.

The services assessable within this contract would include Phase I/II environmental assessments, ecological risk assessments, contamination remediation design and implementation, air monitoring/reporting/permitting, interim land use Best Management Plans (BMP) petroleum storage tank system management, hazardous/industrial waste management, asbestos surveys / abatement and demolition, closure of septic tanks / water wells, emergency response activities and other related ERA activities.

The contract(s) are necessary to provide Environmental Services and technical support to the District's Real Estate, Operations, Engineering & Construction, Field Operations & Land Management, Everglades Policy & Coordination Divisions and the Office of Counsel. The awarded contracts would establish a pool of qualified environmental consulting firms, possessing the depth of experience, skill, personnel and equipment to assist District staff. The six selected environmental firms are:

AECOM Technical Services, Inc.  
CB&I Environmental Services, Inc.  
CDM Smith, Inc.  
Environmental Consulting & Technology, Inc.  
Professional Service Industries, Inc.  
Terracon Consultants, Inc.

These awards are for 3-year work order contract(s) with two 1-year renewal options. The contracts are issued in response to RFP 6000000756. Each individual contract's not to exceed amount is estimated at \$900,000.00.

### **Funding Source:**

No funding is being authorized for these contract(s) at this juncture. This action only establishes a pool of qualified firms for anticipated work in the future. The contracted services are on an as needed basis. The \$900,000.00 represents a not to exceed estimate for the 5-year term of each contract.

**Staff Contact and/or Presenter:**

Ray Palmer, [rpalmer@sfwmd.gov](mailto:rpalmer@sfwmd.gov), 561-682-2264

# **SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

## **Resolution No. 2016 - 0717**

**A Resolution of the Governing Board of the South Florida Water Management District to authorize the official ranking of short-listed firms and entering into a 3-year work order contract with two 1-year renewal options, subject to successful negotiations with AECOM Technical Services, Inc., one of six firms selected for environmental risk assessment services, in an amount not to exceed \$900,000.00 for this individual contract, subject to Governing Board approval of Fiscal Year 2016 through Fiscal Year 2019 budgets; providing an effective date. (Contract No. 4600003425)**

**WHEREAS**, the Governing Board of the South Florida Water Management District deems it necessary, appropriate, and in the public interest to authorize the official ranking of short-listed firms and entering into a 3-year work order contract with two 1-year renewal options, subject to successful negotiations with AECOM Technical Services, Inc., one of six firms selected for environmental risk assessment services, in an amount not to exceed \$900,000.00 for this individual contract, subject to Governing Board approval of Fiscal Year 2016 through Fiscal Year 2019 budgets; providing an effective date. (Contract No. 4600003425); and

**NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:**

**Section 1.** The Governing Board of the South Florida Water Management District hereby approves entering into a 3-year work order contract with two 1-year renewal options, subject to successful negotiations with AECOM Technical Services, Inc.

**Section 2.** This Resolution shall take effect immediately upon adoption.

**PASSED** and **ADOPTED** this 14<sup>th</sup> day of July, 2016.

SOUTH FLORIDA WATER MANAGEMENT  
DISTRICT, BY ITS GOVERNING BOARD  
By:

\_\_\_\_\_  
Chairman

Attest:

Legal form approved:  
By:

\_\_\_\_\_  
District Clerk/Secretary

\_\_\_\_\_  
Office of Counsel

Print name:  
  
\_\_\_\_\_



## **M E M O R A N D U M**

**TO:** Governing Board Members

**FROM:** Richard Bassell, Division Director

**DATE:** July 14, 2016

**SUBJECT:** Environmental Risk Assessment Services Contract(s) – CB&I Environmental Services, Inc.

**Summary:**

This memorandum is to request that the District enter into negotiations with the objective of executing a contract to perform Environmental Risk Assessment (ERA) services with each of the six (6) environmental consulting firms selected through a Consultant Competitive Negotiation Act (CCNA) solicitation process. Each approved contract establishes a means to issue work orders for District services on an as needed basis.

The services assessable within this contract would include Phase I/II environmental assessments, ecological risk assessments, contamination remediation design and implementation, air monitoring/reporting/permitting, interim land use Best Management Plans (BMP) petroleum storage tank system management, hazardous/industrial waste management, asbestos surveys / abatement and demolition, closure of septic tanks / water wells, emergency response activities and other related ERA activities.

The contract(s) are necessary to provide Environmental Services and technical support to the District's Real Estate, Operations, Engineering & Construction, Field Operations & Land Management, Everglades Policy & Coordination Divisions and the Office of Counsel. The awarded contracts would establish a pool of qualified environmental consulting firms, possessing the depth of experience, skill, personnel and equipment to assist District staff. The six selected environmental firms are: AECOM Technical Services, Inc. , CB&I Environmental Services, Inc., CDM Smith, Inc., Environmental Consulting & Technology, Inc., Professional Service Industries, Inc., Terracon Consultants, Inc.

These awards are for 3-year work order contract(s) with two 1-year renewal options. The contracts are issued in response to RFP 6000000756. Each individual contract's not to exceed amount is estimated at \$900,000.00.

**Funding Source:**

No funding is being authorized for these contract(s) at this juncture. This action only establishes a pool of qualified firms for anticipated work in the future. The contracted services are on an as needed basis. The \$900,000.00 represents a not to exceed estimate for the 5-year term of each contract.

**Staff Contact and/or Presenter:**

Ray Palmer, rpalmer@sfwmd.gov, 561-682-2264

# **SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

## **Resolution No. 2016 - 0718**

**A Resolution of the Governing Board of the South Florida Water Management District to authorize the official ranking of short-listed firms and entering into a 3-year work order contract with two 1-year renewal options, subject to successful negotiations with CB&I Environmental Services, Inc., one of six firms selected for environmental risk assessment services, in an amount not to exceed \$900,000.00 for this individual contract, subject to Governing Board approval of Fiscal Year 2016 through Fiscal Year 2019 budgets; providing an effective date. (Contract No. 4600003424)**

**WHEREAS**, the Governing Board of the South Florida Water Management District deems it necessary, appropriate, and in the public interest to authorize the official ranking of short-listed firms and entering into a 3-year work order contract with two 1-year renewal options, subject to successful negotiations with CB&I Environmental Services, Inc., one of six firms selected for environmental risk assessment services, in an amount not to exceed \$900,000.00 for this individual contract, subject to Governing Board approval of Fiscal Year 2016 through Fiscal Year 2019 budgets; providing an effective date. (Contract No. 4600003424); and

**NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:**

**Section 1.** The Governing Board of the South Florida Water Management District hereby approves entering into a 3-year work order contract with two 1-year renewal options, subject to successful negotiations with CB&I Environmental Services, Inc.

**Section 2.** This Resolution shall take effect immediately upon adoption.

**PASSED** and **ADOPTED** this 14<sup>th</sup> day of July, 2016.

SOUTH FLORIDA WATER MANAGEMENT  
DISTRICT, BY ITS GOVERNING BOARD  
By:

\_\_\_\_\_  
Chairman

Attest:

Legal form approved:  
By:

\_\_\_\_\_  
District Clerk/Secretary

\_\_\_\_\_  
Office of Counsel

Print name:  
  
\_\_\_\_\_

## **M E M O R A N D U M**

**TO:** Governing Board Members

**FROM:** Richard Bassell, Division Director

**DATE:** July 14, 2016

**SUBJECT:** Environmental Risk Assessment Services Contract(s) – CDM Smith, Inc.

### **Summary:**

This memorandum is to request that the District enter into negotiations with the objective of executing a contract to perform Environmental Risk Assessment (ERA) services with each of the six (6) environmental consulting firms selected through a Consultant Competitive Negotiation Act (CCNA) solicitation process. Each approved contract establishes a means to issue work orders for District services on an as needed basis.

The services assessable within this contract would include Phase I/II environmental assessments, ecological risk assessments, contamination remediation design and implementation, air monitoring/reporting/permitting, interim land use Best Management Plans (BMP) petroleum storage tank system management, hazardous/industrial waste management, asbestos surveys / abatement and demolition, closure of septic tanks / water wells, emergency response activities and other related ERA activities.

The contract(s) are necessary to provide Environmental Services and technical support to the District's Real Estate, Operations, Engineering & Construction, Field Operations & Land Management, Everglades Policy & Coordination Divisions and the Office of Counsel. The awarded contracts would establish a pool of qualified environmental consulting firms, possessing the depth of experience, skill, personnel and equipment to assist District staff. The six selected environmental firms are: AECOM Technical Services, Inc., CB&I Environmental Services, Inc., CDM Smith, Inc., Environmental Consulting & Technology, Inc., Professional Service Industries, Inc., Terracon Consultants, Inc.

These awards are for 3-year work order contract(s) with two 1-year renewal options. The contracts are issued in response to RFP 6000000756. Each individual contract's not to exceed amount is estimated at \$900,000.00.

### **Funding Source:**

No funding is being authorized for these contract(s) at this juncture. This action only establishes a pool of qualified firms for anticipated work in the future. The contracted services are on an as needed basis. The \$900,000.00 represents a not to exceed estimate for the 5-year term of each contract.

### **Staff Contact and/or Presenter:**

Ray Palmer, rpalmer@sfwmd.gov, 561-682-2264

# **SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

## **Resolution No. 2016 - 0719**

**A Resolution of the Governing Board of the South Florida Water Management District to authorize the official ranking of short-listed firms and entering into a 3-year work order contract with two 1-year renewal options, subject to successful negotiations with CDM Smith, Inc., one of six firms selected for environmental risk assessment services, in an amount not to exceed \$900,000.00 for this individual contract, subject to Governing Board approval of Fiscal Year 2016 through Fiscal Year 2019 budgets; providing an effective date. (Contract No. 4600003426)**

**WHEREAS**, the Governing Board of the South Florida Water Management District deems it necessary, appropriate, and in the public interest to authorize the official ranking of short-listed firms and entering into a 3-year work order contract with two 1-year renewal options, subject to successful negotiations with CDM Smith, Inc., one of six firms selected for environmental risk assessment services, in an amount not to exceed \$900,000.00 for this individual contract, subject to Governing Board approval of Fiscal Year 2016 through Fiscal Year 2019 budgets; providing an effective date. (Contract No. 4600003426); and

**NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:**

**Section 1.** The Governing Board of the South Florida Water Management District hereby approves entering into a 3-year work order contract with two 1-year renewal options, subject to successful negotiations with CDM Smith, Inc.

**Section 2.** This Resolution shall take effect immediately upon adoption.

**PASSED and ADOPTED** this 14<sup>th</sup> day of July, 2016.

SOUTH FLORIDA WATER MANAGEMENT  
DISTRICT, BY ITS GOVERNING BOARD  
By:

\_\_\_\_\_  
Chairman

Attest:

Legal form approved:  
By:

\_\_\_\_\_  
District Clerk/Secretary

\_\_\_\_\_  
Office of Counsel

Print name:  
  
\_\_\_\_\_

## **M E M O R A N D U M**

**TO:** Governing Board Members

**FROM:** Richard Bassell, Division Director

**DATE:** July 14, 2016

**SUBJECT:** Environmental Risk Assessment Services Contract(s) - Environmental Consulting & Technology, Inc.

**Summary:**

This memorandum is to request that the District enter into negotiations with the objective of executing a contract to perform Environmental Risk Assessment (ERA) services with each of the six (6) environmental consulting firms selected through a Consultant Competitive Negotiation Act (CCNA) solicitation process. Each approved contract establishes a means to issue work orders for District services on an as needed basis.

The services assessable within this contract would include Phase I/II environmental assessments, ecological risk assessments, contamination remediation design and implementation, air monitoring/reporting/permitting, interim land use Best Management Plans (BMP) petroleum storage tank system management, hazardous/industrial waste management, asbestos surveys / abatement and demolition, closure of septic tanks / water wells, emergency response activities and other related ERA activities.

The contract(s) are necessary to provide Environmental Services and technical support to the District's Real Estate, Operations, Engineering & Construction, Field Operations & Land Management, Everglades Policy & Coordination Divisions and the Office of Counsel. The awarded contracts would establish a pool of qualified environmental consulting firms, possessing the depth of experience, skill, personnel and equipment to assist District staff. The six selected environmental firms are: AECOM Technical Services, Inc. CB&I Environmental Services, Inc., CDM Smith, Inc., Environmental Consulting & Technology, Inc., Professional Service Industries, Inc., Terracon Consultants, Inc.

These awards are for 3-year work order contract(s) with two 1-year renewal options. The contracts are issued in response to RFP 6000000756. Each individual contract's not to exceed amount is estimated at \$900,000.00.

**Funding Source:**

No funding is being authorized for these contract(s) at this juncture. This action only establishes a pool of qualified firms for anticipated work in the future. The contracted services are on an as needed basis. The \$900,000.00 represents a not to exceed estimate for the 5-year term of each contract.

**Staff Contact and/or Presenter:**

Ray Palmer, rpalmer@sfwmd.gov, 561-682-2264



# **SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

## **Resolution No. 2016 - 0720**

**A Resolution of the Governing Board of the South Florida Water Management District to authorize the official ranking of short-listed firms and entering into a 3-year work order contract with two 1-year renewal options, subject to successful negotiations with Environmental Consulting & Technology, Inc., one of six firms selected for environmental risk assessment services, in an amount not to exceed \$900,000.00 for this individual contract, subject to Governing Board approval of Fiscal Year 2016 through Fiscal Year 2019 budgets; providing an effective date. (Contract No. 4600003423)**

**WHEREAS**, the Governing Board of the South Florida Water Management District deems it necessary, appropriate, and in the public interest to authorize the official ranking of short-listed firms and entering into a 3-year work order contract with two 1-year renewal options, subject to successful negotiations with Environmental Consulting & Technology, Inc., one of six firms selected for environmental risk assessment services, in an amount not to exceed \$900,000.00 for this individual contract, subject to Governing Board approval of Fiscal Year 2016 through Fiscal Year 2019 budgets; providing an effective date. (Contract No. 4600003423); and

**NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:**

**Section 1.** The Governing Board of the South Florida Water Management District hereby approves entering into a 3-year work order contract with two 1-year renewal options, subject to successful negotiations with Environmental Consulting & Technology, Inc.

**Section 2.** This Resolution shall take effect immediately upon adoption.

**PASSED** and **ADOPTED** this 14<sup>th</sup> day of July, 2016.

SOUTH FLORIDA WATER MANAGEMENT  
DISTRICT, BY ITS GOVERNING BOARD  
By:

\_\_\_\_\_  
Chairman

Attest:

Legal form approved:  
By:

\_\_\_\_\_  
District Clerk/Secretary

\_\_\_\_\_  
Office of Counsel

Print name:  
\_\_\_\_\_

## **M E M O R A N D U M**

**TO:** Governing Board Members

**FROM:** Richard Bassell, Division Director

**DATE:** July 14, 2016

**SUBJECT:** Environmental Risk Assessment Services Contract(s) – Professional Service Industries, Inc.

### **Summary:**

This memorandum is to request that the District enter into negotiations with the objective of executing a contract to perform Environmental Risk Assessment (ERA) services with each of the six (6) environmental consulting firms selected through a Consultant Competitive Negotiation Act (CCNA) solicitation process. Each approved contract establishes a means to issue work orders for District services on an as needed basis.

The services assessable within this contract would include Phase I/II environmental assessments, ecological risk assessments, contamination remediation design and implementation, air monitoring/reporting/permitting, interim land use Best Management Plans (BMP) petroleum storage tank system management, hazardous/industrial waste management, asbestos surveys / abatement and demolition, closure of septic tanks / water wells, emergency response activities and other related ERA activities.

The contract(s) are necessary to provide Environmental Services and technical support to the District's Real Estate, Operations, Engineering & Construction, Field Operations & Land Management, Everglades Policy & Coordination Divisions and the Office of Counsel. The awarded contracts would establish a pool of qualified environmental consulting firms, possessing the depth of experience, skill, personnel and equipment to assist District staff. The six selected environmental firms are: AECOM Technical Services, Inc., CB&I Environmental Services, Inc., CDM Smith, Inc., Environmental Consulting & Technology, Inc., Professional Service Industries, Inc., Terracon Consultants, Inc.

These awards are for 3-year work order contract(s) with two 1-year renewal options. The contracts are issued in response to RFP 6000000756. Each individual contract's not to exceed amount is estimated at \$900,000.00.

### **Funding Source:**

No funding is being authorized for these contract(s) at this juncture. This action only establishes a pool of qualified firms for anticipated work in the future. The contracted services are on an as needed basis. The \$900,000.00 represents a not to exceed estimate for the 5-year term of each contract.

### **Staff Contact and/or Presenter:**

Ray Palmer, rpalmer@sfwmd.gov, 561-682-2264

# **SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

## **Resolution No. 2016 - 0721**

**A Resolution of the Governing Board of the South Florida Water Management District to authorize the official ranking of short-listed firms and entering into a 3-year work order contract with two 1-year renewal options, subject to successful negotiations with Professional Service Industries, Inc., one of six firms selected for environmental risk assessment services, in an amount not to exceed \$900,000.00 for this individual contract, subject to Governing Board approval of Fiscal Year 2016 through Fiscal Year 2019 budgets; providing an effective date. (Contract No. 4600003428)**

**WHEREAS**, the Governing Board of the South Florida Water Management District deems it necessary, appropriate, and in the public interest to authorize the official ranking of short-listed firms and entering into a 3-year work order contract with two 1-year renewal options, subject to successful negotiations with Professional Service Industries, Inc., one of six firms selected for environmental risk assessment services, in an amount not to exceed \$900,000.00 for this individual contract, subject to Governing Board approval of Fiscal Year 2016 through Fiscal Year 2019 budgets; providing an effective date. (Contract No. 4600003428); and

**NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:**

**Section 1.** The Governing Board of the South Florida Water Management District hereby approves entering into a 3-year work order contract with two 1-year renewal options, subject to successful negotiations with Professional Service Industries, Inc.

**Section 2.** This Resolution shall take effect immediately upon adoption.

**PASSED** and **ADOPTED** this 14<sup>th</sup> day of July, 2016.

SOUTH FLORIDA WATER MANAGEMENT  
DISTRICT, BY ITS GOVERNING BOARD  
By:

\_\_\_\_\_  
Chairman

Attest:

Legal form approved:  
By:

\_\_\_\_\_  
District Clerk/Secretary

\_\_\_\_\_  
Office of Counsel

Print name:  
  
\_\_\_\_\_

## **M E M O R A N D U M**

**TO:** Governing Board Members

**FROM:** Richard Bassell, Division Director

**DATE:** July 14, 2016

**SUBJECT:** Environmental Risk Assessment Services Contract(s) – Terracon Consultants, Inc.

### **Summary:**

This memorandum is to request that the District enter into negotiations with the objective of executing a contract to perform Environmental Risk Assessment (ERA) services with each of the six (6) environmental consulting firms selected through a Consultant Competitive Negotiation Act (CCNA) solicitation process. Each approved contract establishes a means to issue work orders for District services on an as needed basis.

The services assessable within this contract would include Phase I/II environmental assessments, ecological risk assessments, contamination remediation design and implementation, air monitoring/reporting/permitting, interim land use Best Management Plans (BMP) petroleum storage tank system management, hazardous/industrial waste management, asbestos surveys / abatement and demolition, closure of septic tanks / water wells, emergency response activities and other related ERA activities.

The contract(s) are necessary to provide Environmental Services and technical support to the District's Real Estate, Operations, Engineering & Construction, Field Operations & Land Management, Everglades Policy & Coordination Divisions and the Office of Counsel. The awarded contracts would establish a pool of qualified environmental consulting firms, possessing the depth of experience, skill, personnel and equipment to assist District staff. The six selected environmental firms are: AECOM Technical Services, Inc., CB&I Environmental Services, Inc., CDM Smith, Inc. Environmental Consulting & Technology, Inc., Professional Service Industries, Inc., Terracon Consultants, Inc.

These awards are for 3-year work order contract(s) with two 1-year renewal options. The contracts are issued in response to RFP 6000000756. Each individual contract's not to exceed amount is estimated at \$900,000.00.

### **Funding Source:**

No funding is being authorized for these contract(s) at this juncture. This action only establishes a pool of qualified firms for anticipated work in the future. The contracted services are on an as needed basis. The \$900,000.00 represents a not to exceed estimate for the 5-year term of each contract.

### **Staff Contact and/or Presenter:**

Ray Palmer, rpalmer@sfwmd.gov, 561-682-2264

# **SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

## **Resolution No. 2016 - 0722**

**A Resolution of the Governing Board of the South Florida Water Management District to authorize the official ranking of short-listed firms and entering into a 3-year work order contract with two 1-year renewal options, subject to successful negotiations with Terracon Consultants, Inc., one of six firms selected for environmental risk assessment services, in an amount not to exceed \$900,000.00 for this individual contract, subject to Governing Board approval of Fiscal Year 2016 through Fiscal Year 2019 budgets; providing an effective date. (Contract No. 4600003427)**

**WHEREAS**, the Governing Board of the South Florida Water Management District deems it necessary, appropriate, and in the public interest to authorize the official ranking of short-listed firms and entering into a 3-year work order contract with two 1-year renewal options, subject to successful negotiations with Terracon Consultants, Inc., one of six firms selected for environmental risk assessment services, in an amount not to exceed \$900,000.00 for this individual contract, subject to Governing Board approval of Fiscal Year 2016 through Fiscal Year 2019 budgets; providing an effective date. (Contract No. 4600003427); and

**NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:**

**Section 1.** The Governing Board of the South Florida Water Management District hereby approves entering into a 3-year work order contract with two 1-year renewal options, subject to successful negotiations with Terracon Consultants, Inc.

**Section 2.** This Resolution shall take effect immediately upon adoption.

**PASSED** and **ADOPTED** this 14<sup>th</sup> day of July, 2016.

SOUTH FLORIDA WATER MANAGEMENT  
DISTRICT, BY ITS GOVERNING BOARD  
By:

\_\_\_\_\_  
Chairman

Attest:

Legal form approved:  
By:

\_\_\_\_\_  
District Clerk/Secretary

\_\_\_\_\_  
Office of Counsel

Print name:  
\_\_\_\_\_



## M E M O R A N D U M

**TO:** Governing Board Members

**FROM:** Richard Bassell, Division Director

**DATE:** July 14, 2016

**SUBJECT:** Exchange of Canal Easements - Steve and Jennifer Gale

**Summary:**

The applicant (Steve Gale and Marilyn Gale) has requested a release of a portion of a canal right of way easement containing 0.17 acres, more or less, which constitutes a release of the easement lying south of a line located 30 feet from the top of bank of the Hillsboro Canal. Staff is recommending the denial of this release. The Operations and Maintenance staff have advised that the District needs 40 feet from top of bank, because the width of the right of way must accommodate heavy equipment during routine maintenance and in emergency situations. After completion of the District's Hillsboro Canal Bank Stabilization Project, all the adjacent residents, including the applicant, received a communication from the District in February 2016 stating that a minimum setback of 40 feet from top of bank is required.

Staff recommends the release of a portion of a canal right of way easement containing 0.14 acre, more or less, of the canal right of way easement lying South of a line located 40 feet South of the top of bank of the Hillsboro Canal for residential purposes. In exchange, a new canal right of way easement containing 0.31 acre, more or less, will be granted to the District over that portion of Lots 14A and 15A, Block 8, HILLSBORO PINES, SECTION "B", Plat Book 43, page 20, Section 31, Township 47 South, Range 42 East, Broward County, located 40 feet South of the top of bank.

The exchange will be subject to the following terms, conditions and requirements:

- a. The underlying fee owner shall convey to the District a perpetual canal right of way easement, clarifying the District's interests with respect to the subject easement area containing 0.31 acres, more or less in form, content and substance acceptable to the District, free and clear of all encumbrances, liens, and other objectionable matters.
- b. The applicants shall provide to the District title assurance acceptable to the District confirming that the new clarifying canal right of way easement for the Hillsboro Canal Right of Way is free and clear of all encumbrances, liens and other objectionable matters.
- c. The applicants shall provide a sketch and legal description for the 0.14 acres, more or less, release parcel and the 0.31 acres, more or less, new canal right of way easement parcel, subject to District review and approval.
- d. All costs associated with this transactions shall be paid for by the applicants, including but not limited to all recording costs, and under no

circumstances shall the District be obligated to pay any amount to the applicants or otherwise in connection with this transaction.

- e. The applicants shall obtain all necessary permits from the District, including but not limited to District Right of Way Occupancy Permits pursuant to Chapter 40E-6, Florida Administrative Code, from Broward County, and any other governmental agencies, if any, and pay all associated fees. There is no representation, guaranty or assurance made by the District that the District's Governing Board will in fact approve the issuance of any required District permits, and there is no obligation on the part of the District's Governing Board to approve the issuance of any required District permits. The District's review process for any required permits will be done separate, independent and unfettered of the fact that the District has approved this Resolution and shall be in accordance with the District's applicable rules.
- f. All of the foregoing terms, conditions, and requirements set forth in subparagraphs (a.) through (e.), inclusive, must be satisfied to the satisfaction of the District in its sole and absolute discretion no later than June 30, 2017.

**Additional Background:**

The applicants have paid a \$1,000 non-refundable application fee and will pay all costs associated with the exchange.

**Core Mission and Strategic Priorities:**

The Governing Board, pursuant to Section 373.089, Florida Statutes, may exchange lands or interests in land under terms and conditions determined by the Governing Board, and pursuant to Section 373.096, Florida Statutes, may release any easement for which the District has no present or apparent future use under terms and conditions determined by the Governing Board.

**Funding Source:**

None; the existing canal easement was conveyed to the District at no cost.

**Staff Contact and/or Presenter:**

Kathy Massey, kmassey@sfwmd.gov, 561-682-6835

## SOUTH FLORIDA WATER MANAGEMENT DISTRICT

### Resolution No. 2016 - 0723

**A Resolution of the Governing Board of the South Florida Water Management District to approve release of a portion of a canal right of way easement containing 0.14 acres, more or less, in exchange for a canal right of way easement containing 0.31 acres more or less, and deny the release of a portion of a canal right of way easement containing 0.03 acres, more or less, Hillsboro Canal Project, Lots 14A and 15A, Block 8, HILLSBORO PINES, SECTION "B", Plat Book 43, page 20, Section 31, Township 47 South, Range 42 East, Broward County; providing an effective date.**

**WHEREAS**, pursuant to a request from the applicants and underlying fee owners, Steve Gale and Jennifer Gale, husband and wife, the District has determined it is in the public interest to release the District's interest in that portion of the Hillsboro Canal right of way easement lying south of a line located 40 feet south of the top of bank of the Hillsboro Canal ("release line"), containing 0.14 acres, more or less, in exchange for a new canal right of way easement, clarifying the District's interests, over that portion of Lots 14A and 15A, Block 8, HILLSBORO PINES, SECTION "B", Plat Book 47, Page 2, Section 31, Township 47 South, Range 42 East, Broward County (see Exhibit "A"), located North of said release line and containing 0.31 acres, more or less; and

**WHEREAS**, Staff recommends denial of the applicants and underlying fee owners request to release the right of way easement lying between 40 feet and 30 feet south of the top of bank of the Hillsboro Canal containing 0.03 acres, more or less, because the width of the right of way must accommodate heavy equipment during routine maintenance and in emergency situations.

**WHEREAS**, the applicants have paid a \$1,000 non-refundable application fee, and will pay all recording fees and costs associated with this transaction; and

**WHEREAS**, the Governing Board, pursuant to Section 373.089 of the Florida Statutes, may exchange lands or interests in land under terms and conditions determined by the Governing Board, and pursuant to Section 373.096, Florida Statutes, may release any easement for which it has no present or apparent future use under terms and conditions determined by the Governing Board.

**NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:**

**Section 1:** The Governing Board of the South Florida Water Management District hereby determines that the applicant's request to release the right of way easement lying between 40 feet and 30 feet south of the top of bank of the Hillsboro Canal containing 0.03 acres, more or less, be denied.

**Section 2:** The Governing Board of the South Florida Water Management District hereby determines that the District has no present or apparent future use for that portion of the Hillsboro Canal right of way easement lying south of a line located 40 feet south of the top of bank of the Hillsboro Canal containing 0.14 acres, more or less, and that it is in the public interest to release said 0.14 acre, more or less, portion of the District's canal right of way easement, and hereby approves the release of a portion of the Hillsboro Canal Right of Way easement, containing 0.14 +/- acre parcel located within Lots 14A and 15A, Block 8, HILLSBORO PINES, SECTION "B", Plat Book 43, page 20, in exchange for a new canal right of way easement containing 0.31 acres, more or less, clarifying the District's interest over that portion of said lots located north of a line located

40 feet south of the top of bank of the Hillsboro Canal, Section 31, Township 47 South, Range 42 East, Broward County; provided all of the following terms, conditions, and requirements are satisfied to the satisfaction of the District, in its sole and absolute discretion:

- a. The underlying fee owner shall convey to the District a perpetual canal right of way easement, clarifying the District's interests with respect to the subject easement area containing 0.31 acres, more or less in form, content and substance acceptable to the District, free and clear of all encumbrances, liens, and other objectionable matters.
- b. The applicants shall provide to the District title assurance acceptable to the District confirming that the new clarifying canal right of way easement for the Hillsboro Canal Right of Way is free and clear of all encumbrances, liens and other objectionable matters.
- c. The applicants shall provide a sketch and legal description for the 0.14 acre, more or less, release parcel and the 0.31 acre, more or less, new canal right of way easement parcel, subject to District review and approval.
- d. All costs associated with this transactions shall be paid for by the applicants, including but not limited to all recording costs, and under no circumstances shall the District be obligated to pay any amount to the Applicants or otherwise in connection with this transaction.
- e. The applicants shall obtain all necessary permits from the District, including but not limited to District Right of Way Occupancy Permits pursuant to Chapter 40E-6, Florida Administrative Code, from Broward County, and any other governmental agencies, if any, and pay all associated fees. There is no representation, guaranty or assurance made by the District that the District's Governing Board will in fact approve the issuance of any required District permits, and there is no obligation on the part of the District's Governing Board to approve the issuance of any required District permits. The District's review process for any required permits will be done separate, independent and unfettered of the fact that the District has approved this Resolution and shall be in accordance with the District's applicable rules.
- f. All of the foregoing terms, conditions, and requirements set forth in subparagraphs (a.) through (e.), inclusive, must be satisfied to the satisfaction of the District in its sole and absolute discretion no later than June 30, 2017.

**Section 3:** The Governing Board of the South Florida Water Management District hereby authorizes the Chairman to execute the release document. No release instrument shall be delivered to the applicant/underlying fee owner, or shall be effective, until all of the foregoing requirements have been fully completed and fulfilled to the District's satisfaction, and such release has been recorded in the Public Records of Broward County.

**Section 4:** This Resolution shall take effect immediately upon adoption.

**PASSED and ADOPTED** this 14<sup>th</sup> day of July, 2016.

SOUTH FLORIDA WATER MANAGEMENT  
DISTRICT, BY ITS GOVERNING BOARD  
By:

\_\_\_\_\_  
Chairman

Attest:

\_\_\_\_\_  
District Clerk/Secretary

Legal form approved:  
By:

\_\_\_\_\_  
Office of Counsel

Print name:



# Exhibit "A"

Palm Beach

Broward

Hillsboro Canal

Requested additional  
10 foot portion

38100-066

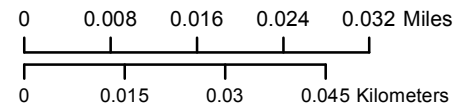
38100-067



## Steven Gale Exchange



South Florida Water Management District  
3301 Gun Club Road, West Palm Beach, Florida 33406  
561-686-8800; www.sfwmd.gov



**DISCLAIMER:**  
This map is a conceptual or planning tool only. The South Florida Water Management District does not guarantee or make any representation regarding the information contained herein. It is not self-executing or binding, and does not affect the interests of any persons or properties, including any present or future right or use of real property.

Attachment: da\_re\_201\_Exh\_A\_Map\_Massey\_Gale\_Exchange\_2016-06-27 (Resolution No. 2016 - 0723 :

**M E M O R A N D U M**

**TO:** Governing Board Members

**FROM:** Karen Estock, Director, Field Operations & Land Management

**DATE:** July 14, 2016

**SUBJECT:** Daycare Lease

**Summary:**

This request is to authorize Contract No. 4600003421 with the Future Kids of West Palm Beach Corp for a period of ten years in a revenue amount of approximately \$1,158,679. The purpose of the contract is to lease space located at the District's Headquarters complex for childcare services. The proposed lease consists of a stand-alone 6,216 square foot building located on an approximately 1-acre parcel situated at the Southwest corner of the Headquarters site.

**Additional Background:**

The highest responsive and responsible bidder was Future Kids of West Palm Beach Corp with a total bid of \$101,072.16 for the first year's rent. There were two bidders.

**Core Mission and Strategic Priorities:**

This proposed lease supports the District's goal of balancing our annual budget by fully utilizing District facilities and generating revenue. The General Services Section of the Field Operations & Land Management Division will be responsible for implementing this contract.

**Staff Contact and/or Presenter:**

Staff Contact: Michael Hiscock, mhisccoc@sfwmd.gov, ext. 2526

# SOUTH FLORIDA WATER MANAGEMENT DISTRICT

## Resolution No. 2016 - 0724

**A Resolution of the Governing Board of the South Florida Water Management District to authorize Contract No. 4600003421 with Future Kids of West Palm Beach Corp for a ten year lease in a revenue amount of \$1,158,679.**

**WHEREAS**, The Governing Board of the South Florida Water Management District deems it necessary, appropriate and in the public interest to authorize lease space in a revenue contract with Future Kids of West Palm Beach Corp to occupy a 6,216 square foot building and associated 1-acre parcel located at the District's Headquarters Complex in West Palm Beach, Florida, in an amount of \$1,158,679, providing an effective date.

**NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:**

**Section 1.** The Governing Board of the South Florida Water Management District hereby approves the execution of Contract No. 4600003421 with Future Kids of West Palm Beach Corp to lease a 6,216 square foot building and associated 1-acre parcel located at the District's Headquarters Complex in West Palm Beach, Florida.

**Section 2.** This resolution shall take effect immediately upon adoption.

**PASSED** and **ADOPTED** this 14<sup>th</sup> day of July, 2016.

SOUTH FLORIDA WATER MANAGEMENT  
DISTRICT, BY ITS GOVERNING BOARD  
By:

\_\_\_\_\_  
Chairman

Attest:

Legal form approved:  
By:

\_\_\_\_\_  
District Clerk/Secretary

\_\_\_\_\_  
Office of Counsel

Print name:  
  
\_\_\_\_\_

## M E M O R A N D U M

**TO:** Governing Board Members

**FROM:** Dorothy Bradshaw, Director, Administrative Services Division

**DATE:** July 14, 2016

**SUBJECT:** Fiscal Year 2016-2017 Budget Update and Approval of Proposed Millage Rates

### Summary:

Each year, the Governing Board discusses proposed millage rates as part of the statutorily mandated Truth-in-Millage (TRIM) process. These rates are then provided to each county property appraiser within the boundaries of the District for inclusion on TRIM required proposed property tax notices.

The proposed Fiscal Year 2016-2017 millage rates are the rolled-back millage rates and have been calculated to comply with the TRIM process to calculate the rolled-back millage rates. The following millage rates are proposed consistent with Governing Board strategic guidance:

District-at-Large:	0.1359 mills
Okeechobee Basin:	0.1477 mills
Everglades Construction Project:	0.0471 mills
Big Cypress Basin:	0.1336 mills

### Additional Background

For illustration purposes, based on the proposed millage rates, a homeowner residing within the Okeechobee Basin (all counties except Collier and northwest Monroe) with a home assessed at \$150,000 less a \$50,000 homestead exemption will pay \$33.07 in property taxes to the District this upcoming fiscal year. A comparable homeowner in the Big Cypress Basin will pay \$26.95 in property taxes.

This action effectively sets the maximum millage rates that the Governing Board can approve for Fiscal Year 2016-2017, as it is cost-prohibitive (first class mail notification is statutorily required) to set a higher rate at the two required public hearings in September.

The county property appraisers will be notified of these rates, with Governing Board concurrence, for publication on truth-in-millage notices which are sent to each tax payer within District boundaries. Approval of proposed Fiscal Year 2016-2017 millage rates for TRIM purposes by the Governing Board is an important part of our statutory compliance requirements for annual budget development.

### Core Mission and Strategic Priorities

Certification of the proposed millage rates to county property appraisers for TRIM purposes is required as part of the District's annual compliance with Chapter 200, F.S.

### Funding Source

Ad Valorem Taxes

**Staff Contact and/or Presenter**

Dorothy Bradshaw / (561) 682-2823 or Candida Heater at (561) 682-6486.

## SOUTH FLORIDA WATER MANAGEMENT DISTRICT

### Resolution No. 2016 - 0725

**A Resolution of the Governing Board of the South Florida Water Management District approving submission of the proposed Fiscal Year 2016-2017 millage rates for the purpose of advising county Property Appraisers for publication on Truth-in-Millage (TRIM) notices; providing an effective date.**

**WHEREAS**, Section 200.065(2)(b), Florida Statutes, provides that each taxing authority shall advise the property appraiser of its proposed Fiscal Year 2016-2017 millage rates for publication on Truth-in-Millage TRIM notices; and

**WHEREAS**, the Governing Board is being requested to approve the proposed Fiscal Year 2016-2017 millage rates for submission to the property appraisers; and

**WHEREAS**, the Executive Director recommends that these millage rates be approved in order for property appraisers to notify taxpayers of proposed Fiscal Year 2016-2017 millage rates to be levied; and

**WHEREAS**, the Executive Director recommends that these millage rates for property appraisers to notify taxpayers of proposed Fiscal Year 2016-2017 millage rates are the rolled-back millage rates.

**NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:**

**Section 1.** The Governing Board of the South Florida Water Management District hereby authorizes submission of the following proposed Fiscal Year 2016-2017 millage rates in order for property appraisers to notify taxpayers of proposed millage rates to be levied:

District-at-Large:	0.1359 mills
Okeechobee Basin:	0.1477 mills
Everglades Construction Project:	0.0471 mills
Big Cypress Basin:	0.1336 mills

**Section 2.** This resolution shall take effect immediately upon adoption.

**PASSED and ADOPTED** this 14th day of July, 2016.



SOUTH FLORIDA WATER MANAGEMENT  
DISTRICT, BY ITS GOVERNING BOARD  
By:

\_\_\_\_\_  
Chairman

Attest:

\_\_\_\_\_  
District Clerk/Secretary

Legal form approved:  
By:

\_\_\_\_\_  
Office of Counsel

Print name:

**M E M O R A N D U M**

**TO:** Governing Board Members

**FROM:** Dorothy Bradshaw, Director, Administrative Services Division

**DATE:** July 14, 2016

**SUBJECT:** Monthly Financial Report - Month Ending May 2016

## M E M O R A N D U M

**TO:** Governing Board Members

**FROM:** Dorothy Bradshaw, Director, Administrative Services Division

**DATE:** July 14, 2016

**SUBJECT:** Monthly Financial Statement – May 2016

This report provides an overview of District financial activity, including revenue collections and expenditures. Attached is a summary in the State Program format in compliance with Chapter 373.536(4)(e) F.S., which requires each District to provide a monthly financial statement in the form and manner prescribed by the Department of Financial Services to the District's Governing Board and make such monthly financial statement available for public access on its website. This unaudited financial statement is provided as of May 31, 2016, with the fiscal year 66.7% complete.

**Schedule of Sources and Uses** – This financial statement compares revenues received and encumbrances/expenditures made against the District's Fiscal Year 2015-16 \$873.6 million current budget. Encumbrances represent orders for goods and services which have not yet been received. Budget amounts include \$123.2 million in encumbrance carryforward from Fiscal Year 2014-15.

- With the fiscal year 66.7% complete, 72.5% of the District's budgeted operating revenue (excludes fund balance) has been collected. The primary source of operating revenue received to date is ad valorem taxes. The largest remaining revenue source is fund balance (prior year reserves) budgeted in the current year. Including reserves, total Fiscal Year 2015-16 sources collected were 83.5% of budget or \$729.7 million.
- 98.3% of budgeted Ad Valorem tax revenue and 91.2% of Agricultural Privilege tax revenue were collected through May. Ad Valorem and Agricultural Privilege tax collections peak November through January driven by the receipt of property tax bills in October and the 4.0% maximum discount available when paid in full by November 30. These taxes are budgeted at a discounted rate of 95.0% to allow for the discounts property owners receive through early payment. Historical ad valorem trends for the past five years through May average a collection rate of 96.2%.
- There is \$5.4 million in budgeted intergovernmental revenue in ad valorem funds, which includes \$3 million in USACE reimbursements and \$1 million in Alligator Alley toll revenue. There was \$6.9 million received as of the end of May, which includes unbudgeted \$4.1 million from USACE for depreciation of the C-111 Project. There is \$184.3 million in budgeted intergovernmental revenue in restricted funds, including \$110.7 million in Land Acquisition Trust Funds, \$41.4 million in Save Our Everglades Trust Fund, \$8.7 million in reimbursements from the Florida Fish and Wildlife Conservation Commission (FWC) for aquatic/invasive plant control, \$6.1 million in Alligator Alley tolls, and \$6.9 million in Land Acquisition Trust Funds revenue for final debt service payments for retired land acquisition bonds. This category also includes anticipated Federal revenues of \$2.8 million for Allapattah restoration, \$886K for BOMA water quality testing grant, and reimbursement of

## Governing Board Members

July 14, 2016

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monitoring costs from the National Park Service. Fiscal Year 2015-16 revenue received as of May totals \$57.6 million. Reimbursement requests are submitted based on actual expenses incurred.

- Budgeted Ad Valorem Investment Earnings is \$3.6 million for Fiscal Year 2015-16. \$2.6 million of revenue was recognized as of the end of May of which \$2 million is in ad valorem funds, which is 55.4% of the budget amount. \$627K was allocated to non-ad valorem funds.
- There is \$12.7 million in budgeted permit fee and mitigation revenue, including water use permit (WUP) application fees (\$749K), Environmental Resource Permit (ERP) application fees (\$2 million), and Lake Belt Mitigation Fees for land acquisition and C-139 Annex Restoration (\$9.8 million). \$12.2 million has been received, including \$9.6 million from Lake Belt mitigation fees, \$2 million from ERP and \$482K from WUP.
- Other budgeted revenue includes leases, sale of district property and revenue supporting District self-insured programs.
  - Lease revenue is collected from 76 active leases on 107,000 acres of District owned lands. The timing of revenue received is based on the fee schedules within the agreements. The District has received \$2.7 million which represents 99.2% of the \$2.7 million budgeted lease revenue. The use of lease revenue collected for lands purchased with State or Federal funds is restricted based on the guidelines in the acquisition or grant agreement.
  - Other budgeted revenue includes \$210K in civil penalties and enforcement fees and \$251K in miscellaneous revenues such as cash discounts, refund of prior year expenditures, and sale of recycled oil and scrap metal. Fiscal year collections to date of \$1.6 million is more than triple the budget. Of this amount, \$450K was received as Florida Crystals payment for land remediation in STA 1 W Expansion Project. Also included is \$525,961 prior year refund related to COPs projects from MCIP (Master Controlled Insurance Program) with the Florida Municipal Construction Insurance Trust.
  - Sale of District Property represents the sale of real property and land. This conservative budget of \$250K is due to uncertainty regarding the amount of equipment which is surplus in a given year. Fiscal Year 2015-16 revenues received total \$2.6 million, of which \$1.7 million resulted from the sale of 19.62 acres located on south Kanner Highway in Stuart, Martin County; \$405,000 from the sale of 39.76 acres in Palm Beach County; \$240,000 from 0.52 acres Right of Way easement in Broward County, \$70,000 from 0.18 acres of Pompano Canal Right of Way, Broward County and 19.71 acres in Polk and Martin counties for \$179,778. Other surplus items generated \$106K which is 42.4% of the budget.
  - Revenues recognized for the District's self-insured programs, largely health insurance, are \$21.5 million representing 60% of the \$35.9 million budget. This includes District funding as well as premiums paid by employees, retirees, and COBRA participants.

**Expenditure and Encumbrance Status** – As of May 31, 2016, with 66.7% of the year complete, the District has expended **\$290.3 million or 33.2%** and has encumbered **\$260.2 million or 29.8%** of its budget. The District has obligated (encumbrances plus expenditures) **\$550.5 million or 63%** of its budget.

**Summary of Expenditures and Encumbrances by Program** – This financial statement illustrates the budget implementation effort to date for each of the District's program areas.

- The **Water Resources Planning and Monitoring Program** comprises all water management planning, including water supply planning, development of minimum flows and levels, and other water resources planning, and technical assistance (including local and regional plan and program review). Regional water supply plans for each planning area address the unique resources and needs of each region – Lower West Coast, Upper and Lower East Coast, Upper and Lower Kissimmee Basin. Agency work includes research, data collection, modeling, environmental monitoring and assessment activities that support various regulatory-driven mandates/agreements and comply with federal and state-issued permits for all restoration projects. Of the \$55.8 million budgeted for this program, the District has obligated \$35.7 million: \$29 million expended and \$6.7 million encumbered.
- The **Acquisition, Restoration and Public Works Program** includes the development and construction of all restoration capital projects. Restoration projects unique to the South Florida Water Management District include the Kissimmee River Restoration Project, design and implementation of the Northern Everglades and Estuaries Protection Program (NEEPP), Everglades Forever Act (EFA) projects, Critical Restoration Projects, and the Comprehensive Everglades Restoration Plan (CERP). This category also includes water resource development and water supply assistance projects, water control projects, cooperative projects and land acquisition for restoration. Of the \$415.4 million budgeted for this program, the District has obligated \$294.4 million: \$101.6 million expended and \$192.8 million encumbered.
- The **Operation and Maintenance of Lands and Works Program** includes all operation and maintenance of facilities, flood control and water supply structures, lands, and other works authorized by Chapter 373, F.S. The District's operations and maintenance consists of activities to effectively and efficiently manage the primary canals and associated structures in South Florida. Operation and maintenance program activities include the Central and Southern Florida (C&SF) Project, as well as the Big Cypress Basin system. Activities include the operation and maintenance of a multi-purpose water management system comprising 4,098 miles of canals and levees, 692 water control structures and weirs, 71 pumping stations and 618 smaller project culverts. Of the \$334.6 million budgeted for this program, the District has obligated \$176.7 million: \$118.3 million expended and \$58.4 million encumbered.
- The **Regulation Program** includes water use permitting, water well construction permitting, water well contractor licensing, environmental resource and surface water management permitting, permit administration and enforcement, and any delegated regulatory program. Other regulatory enforcement activities include the Southern and Northern Everglades Nutrient Source Control Program, and the Everglades Long-Term Plan, which mandates the implementation of Best Management Practices (BMP) programs in the Everglades Construction Project (ECP) and non-ECP Basins for the Southern Everglades. Of the \$27.5 million budgeted for this program, the District has obligated \$16.2 million: \$15.6 million expended and \$552K encumbered.

Governing Board Members

July 14, 2016

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- The **Outreach Program** includes all environmental education activities, such as water conservation campaigns and water resource education; public information activities; all activities relating to local, regional, state, and federal governmental affairs; and all other public outreach activities. Of the \$2.4 million budgeted for this program, the District has obligated \$1.5 million: \$1.5 million expended and \$18K encumbered.
- The **District Management and Administration Program** includes all governing and basin board support, executive direction, information technology, general counsel, procurement, human resources, finance, audit, risk management, and administrative support services. Of the \$37.9 million budgeted for this program, the District has obligated \$26 million: \$24.3 million expended and \$1.7 million encumbered.

Expenditures in each program includes District expenditures for the self-insured program, largely health insurance.

We hope this report will aid in understanding the District's financial condition as well as expenditure performance against the approved budget. If you have any questions, please feel free to contact me at (561) 682-2823 or Candida Heater at (561) 682-6486.

DB/CJH

Attachment



**South Florida Water Management District**  
**Statement of Sources and Uses of Funds (Unaudited)**  
For the month ended: May 31, 2016. Percent of fiscal year completed: 66.7%

	CURRENT BUDGET	ACTUALS THROUGH 5/31/2016	VARIANCE (UNDER) / OVER BUDGET	ACTUALS AS A % OF BUDGET
<b>Sources</b>				
Taxes <sup>1</sup>	\$ 277,892,829	\$ 272,370,768	\$ (5,522,061)	98.01%
Intergovernmental Revenues	190,483,281	64,487,676	(125,995,605)	33.85%
Interest on Invested Funds	3,650,000	2,647,490	(1,002,510)	72.5%
License and Permit Fees	12,657,602	12,200,894	(456,708)	96.4%
Other <sup>2</sup>	39,260,185	28,365,415	(10,894,770)	72.2%
<b>SUB-TOTAL OPERATING REVENUES</b>	<b>523,943,897</b>	<b>380,072,243</b>	<b>(143,871,654)</b>	<b>72.5%</b>
Fund Balance	349,628,742	349,628,742	-	100.0%
<b>Total Sources</b>	<b>\$ 873,572,639</b>	<b>\$ 729,700,986</b>	<b>\$ (143,871,654)</b>	<b>83.5%</b>

<sup>1</sup> Includes Ad Valorem and Agricultural Privilege Taxes

<sup>2</sup> Includes Leases, Sale of District Property, and Self Insurance Premiums

	CURRENT BUDGET	EXPENDITURES	ENCUMBRANCES <sup>3</sup>	AVAILABLE BUDGET	% EXPENDED	% OBLIGATED <sup>4</sup>
<b>Uses</b>						
Water Resources Planning and Monitoring	\$ 55,762,376	\$ 29,000,648	\$ 6,713,998	\$ 20,047,730	52.0%	64.0%
Acquisition, Restoration and Public Works	415,405,389	101,563,660	192,789,101	121,052,628	24.4%	70.9%
Operation and Maintenance of Lands and Works	334,621,612	118,298,062	58,433,655	157,889,896	35.4%	52.8%
Regulation	27,477,898	15,620,181	552,254	11,305,464	56.8%	58.9%
Outreach	2,429,116	1,472,669	18,467	937,980	60.6%	61.4%
Management and Administration	37,876,248	24,337,912	1,700,067	11,838,268	64.3%	68.7%
<b>Total Uses</b>	<b>\$ 873,572,639</b>	<b>\$ 290,293,131</b>	<b>\$ 260,207,542</b>	<b>\$ 323,071,966</b>	<b>33.2%</b>	<b>63.0%</b>

<sup>3</sup> Encumbrances represent unexpended balances of open purchase orders and contracts.

<sup>4</sup> Represents the sum of expenditures and encumbrances as a percentage of the current budget.

This unaudited financial statement is prepared as of May 31, 2016, and covers the interim period since the most recent audited financial statements.

**M E M O R A N D U M**

**TO:** Governing Board Members

**FROM:** Peter Antonacci, Executive Director

**DATE:** July 14, 2016

**SUBJECT:** Executive Director's Report - Peter Antonacci

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AUTHORITY DELEGATED TO EXECUTIVE DIRECTOR  
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1. AVE MARIA UNIVERSITY AND TOWN APPL. NO. 160418-10  
AVE MARIA STEWARDSHIP COMMUNITY DISTRICT PERMIT NO. 11-02336-W  
SEC 31-33,4-9, 16-18 TWP 47,48S RGE 29,29E ACREAGE: 1100.50  
LAND USE: GOLF COURSE  
LANDSCAPE  
PERMIT TYPE: WATER USE MODIFICATION/RENEWAL  
WATER SOURCE: SANDSTONE AQUIFER,ON-SITE LINED LAKE,LOWER TAMIAMI AQUIFER  
ALLOCATION: 189.63 MILLION GALLONS PER MONTH  
LAST DATE FOR AGENCY ACTION: JULY 17, 2016

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2. WILLOW RUN APPL. NO. 150611-16  
K E WILLOW RUN PROPERTIES L L C PERMIT NO. 11-03730-P  
SEC 11,14,13,12 TWP 50,50,50,50S RGE 26,26,26,26E ACREAGE: 351.43  
LAND USE: RESIDENTIAL  
PERMIT TYPE: ENVIRONMENTAL RESOURCE (CONCEPTUAL APPROVAL AND NEW  
CONSTRUCTION/OPERATION), INCLUDES CONSERVATION EASEMENT TO THE  
DISTRICT)  
RECEIVING BODY: ONSITE PRESERVE  
LAST DATE FOR AGENCY ACTION: JUNE 24, 2016

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1.	D L PEARCE RANCH	APPL. NO.	091014-14
	D L PEARCE RANCH INC.	PERMIT NO.	22-00127-W
	SEC 3,4,9,10,16 TWP 38S RGE 34E	ACREAGE:	387.60
		LAND USE:	AGRICULTURAL

PERMIT TYPE: WATER USE EXPIRED/PREVIOUSLY PERMITTED

WATER SOURCE: ON-SITE DITCH(ES) / CANAL(S)

ALLOCATION: 70.51 MILLION GALLONS PER MONTH

LAST DATE FOR AGENCY ACTION: JULY 31, 2016

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2.	USACE HHD S-281/CULVERT 5A	APPL. NO.	160412-5
	THALLE CONSTRUCTION CO INC	PERMIT NO.	22-00536-W
	SEC 21 TWP 41S RGE 32E	ACREAGE:	10.00
		LAND USE:	DEWATERING

PERMIT TYPE: WATER USE MODIFICATION/RENEWAL

WATER SOURCE: WATER TABLE AQUIFER

ALLOCATION: NOT REQUIRED

LAST DATE FOR AGENCY ACTION: JULY 11, 2016

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1.	LABELLE RANCHES	APPL. NO.	150806-1
	C P B PROPERTIES INC	PERMIT NO.	26-00080-W
	SEC 34,35,31,32,2,3 TWP 43,43,44S RGE	ACREAGE:	3168.00
	29,30,29E	LAND USE:	AGRICULTURAL
	PERMIT TYPE: WATER USE MODIFICATION/RENEWAL		
	WATER SOURCE: WATER TABLE AQUIFER,SANDSTONE AQUIFER		
	ALLOCATION: 181.22 MILLION GALLONS PER MONTH		
	LAST DATE FOR AGENCY ACTION: JUNE 13, 2016		

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1.	SPRING RUN GOLF CLUB	APPL. NO.	160411-10
	SPRING RUN GOLF CLUB COMMUNITY ASSOCIATION, INC.	PERMIT NO.	36-07525-W
	SEC 10, 11 TWP 47S RGE 25E	ACREAGE:	127.35
		LAND USE:	GOLF COURSE

PERMIT TYPE: WATER USE MODIFICATION/RENEWAL

WATER SOURCE: ON-SITE LAKE(S)

ALLOCATION: 21.98 MILLION GALLONS PER MONTH

LAST DATE FOR AGENCY ACTION: JULY 10, 2016

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2.	THE PLACE AT CORKSCREW	APPL. NO.	151116-20
	THE PLACE AT CORKSCREW, L L C	PERMIT NO.	36-08552-W
	SEC 23, 24,19 TWP 46,46S RGE 26,27E	ACREAGE:	1361.00
		LAND USE:	LANDSCAPE

PERMIT TYPE: WATER USE PROPOSED

WATER SOURCE: WATER TABLE AQUIFER,SANDSTONE AQUIFER,ON-SITE LAKE(S),LOWER HAWTHORN  
AQUIFER

ALLOCATION: 36.01 MILLION GALLONS PER MONTH

LAST DATE FOR AGENCY ACTION: JULY 6, 2016

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1.	C-44 RESERVOIR CONTRACT 2	APPL. NO.	160211-9
	BARNARD CONSTRUCTION COMPANY, INC.	PERMIT NO.	43-02730-W
	SEC 3,4,5,6,7,8,9,10,15,16,17 TWP 39S RGE 39E	ACREAGE:	4300.00
		LAND USE:	DEWATERING

PERMIT TYPE: WATER USE PROPOSED  
WATER SOURCE: WATER TABLE AQUIFER  
ALLOCATION: NOT REQUIRED  
LAST DATE FOR AGENCY ACTION: JUNE 22, 2016

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2.	S R-710/BEE LINE HIGHWAY WIDENING	APPL. NO.	150827-4
	FLORIDA DEPARTMENT OF TRANSPORTATION	PERMIT NO.	43-00802-S
	SEC 9,15,16,22,23,24,25,30,31 TWP 40,40S RGE	ACREAGE:	159.06
	39,40E	LAND USE:	ROADWAY

PERMIT TYPE: ENVIRONMENTAL RESOURCE (CONSTRUCTION/OPERATION MODIFICATION)  
RECEIVING BODY: ADJACENT LAND  
LAST DATE FOR AGENCY ACTION: JULY 30, 2016

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1.	SOLE MIA - MASS GRADING	APPL. NO.	160208-7
	OLETA PARTNERS, L L C	PERMIT NO.	13-02206-P
	SEC 21 TWP 52S RGE 42E	ACREAGE:	155.78
		LAND USE:	COMMERCIAL
			RESIDENTIAL

PERMIT TYPE: ENVIRONMENTAL RESOURCE (CONSTRUCTION/OPERATION MODIFICATION)  
RECEIVING BODY: ON-SITE DRAINAGE WELLS  
LAST DATE FOR AGENCY ACTION: JUNE 17, 2016

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1.	NORTH BORROW AREA DEWATERING	APPL. NO.	151104-5
	OKEECHOBEE LANDFILL INC	PERMIT NO.	47-00690-W
	SEC 12 TWP 36S RGE 36E	ACREAGE:	1.00
		LAND USE:	DEWATERING

PERMIT TYPE: WATER USE MODIFICATION/RENEWAL

WATER SOURCE: WATER TABLE AQUIFER

ALLOCATION: NOT REQUIRED

LAST DATE FOR AGENCY ACTION: JULY 6, 2016

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2.	STARVATION SLOUGH WETLANDS RESTORATION PROJECT	APPL. NO.	160421-12
	U S D A - N R C S	PERMIT NO.	47-00140-S
	SEC 20,21,22,27,28,29 TWP 34S RGE 32E	ACREAGE:	874.00
		LAND USE:	ENVIRONMENTAL RESTORATION

PERMIT TYPE: ENVIRONMENTAL RESOURCE (CONSTRUCTION/OPERATION MODIFICATION)

RECEIVING BODY: KISSIMMEE RIVER

LAST DATE FOR AGENCY ACTION: JUNE 20, 2016

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1. OSCEOLA INTERCHANGE	APPL. NO.	160506-11
REEDY CREEK IMPROVEMENT DISTRICT	PERMIT NO.	48-00714-P
SEC 36 TWP 24S RGE 27E	ACREAGE:	160.95
	LAND USE:	ROADWAY

PERMIT TYPE: ENVIRONMENTAL RESOURCE (CONSTRUCTION/OPERATION MODIFICATION)

RECEIVING BODY: ULTIMATE DISCHARGE IS TO REEDY CREEK.

LAST DATE FOR AGENCY ACTION: JULY 5, 2016

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2. WIDEN TURNPIKE OSCEOLA PARKWAY TO S R 528/BEACHLIN	APPL. NO.	160425-20
F D O T FLORIDA'S TURNPIKE ENTERPRISE	PERMIT NO.	48-01443-P
SEC 2,3,10,11,14,15,22,23,26,35 TWP 25,24S RGE	ACREAGE:	356.82
29,29E	LAND USE:	HIGHWAY

PERMIT TYPE: ENVIRONMENTAL RESOURCE (CONSTRUCTION/OPERATION MODIFICATION)

RECEIVING BODY: EXISTING WETLANDS VIA EXISTING FLORIDA'S TURNPIKE CROSS DRAINS

LAST DATE FOR AGENCY ACTION: JUNE 24, 2016

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3. ZANZIBAR P D	APPL. NO.	160107-16
MATTAMY HOMES	PERMIT NO.	48-02524-P
SEC 31 TWP 23S RGE 27E	ACREAGE:	145.20
	LAND USE:	RESIDENTIAL

PERMIT TYPE: ENVIRONMENTAL RESOURCE (NEW CONSTRUCTION/OPERATION), INCLUDES  
CONSERVATION EASEMENT TO THE DISTRICT)

RECEIVING BODY: LAKE NEEDHAM

LAST DATE FOR AGENCY ACTION: JUNE 27, 2016

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1. T O D AT O C C  
DEERFIELD LAND CORPORATION  
SEC 2, 3 TWP 25S RGE 29E

APPL. NO. 150918-10  
PERMIT NO. 49-00477-S  
ACREAGE: 145.69  
LAND USE: COMMERCIAL

PERMIT TYPE: ENVIRONMENTAL RESOURCE (CONSTRUCTION/OPERATION MODIFICATION)  
RECEIVING BODY: MILL SLOUGH AND LAKE TOHOPEKALIGA VIA SHINGLE CREEK  
LAST DATE FOR AGENCY ACTION: JUNE 17, 2016

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1.	ALTON CLEARING, EXCAVATION AND FILL	APPL. NO.	160414-6
	K G DONALD ROSS L L C	PERMIT NO.	50-00610-S-24
	SEC 26,35 TWP 41S RGE 42E	ACREAGE:	80.20
		LAND USE:	RESIDENTIAL

PERMIT TYPE: ENVIRONMENTAL RESOURCE (CONCEPTUAL APPROVAL MODIFICATION AND NEW CONSTRUCTION/OPERATION)

RECEIVING BODY: MASTER SYSTEM

LAST DATE FOR AGENCY ACTION: JUNE 13, 2016

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2.	ALTON COMMUNITY RECREATION & FITNESS FACILITY	APPL. NO.	141009-9
	K H ALTON, L L C	PERMIT NO.	50-00610-S-24
	SEC 26 TWP 41S RGE 42E	ACREAGE:	5.26
		LAND USE:	RECREATIONAL

PERMIT TYPE: ENVIRONMENTAL RESOURCE (CONCEPTUAL APPROVAL MODIFICATION AND NEW CONSTRUCTION/OPERATION)

RECEIVING BODY: MASTER SYSTEM

LAST DATE FOR AGENCY ACTION: JULY 12, 2016

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3.	ATLANTICO AT PALM BEACH GARDENS	APPL. NO.	160506-17
	VILLAS AT BRIGER L L C.	PERMIT NO.	50-00610-S-31
	SEC 26 TWP 41S RGE 42E	ACREAGE:	13.00
		LAND USE:	RESIDENTIAL

PERMIT TYPE: ENVIRONMENTAL RESOURCE (CONCEPTUAL APPROVAL MODIFICATION AND NEW CONSTRUCTION/OPERATION)

RECEIVING BODY: MASTER SYSTEM

LAST DATE FOR AGENCY ACTION: JULY 5, 2016

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1. WALK-IN-WATER	APPL. NO.	160329-3
STORY CITRUS INC	PERMIT NO.	53-00270-W
SEC 13,14 TWP 30S RGE 29E	ACREAGE:	113.90
	LAND USE:	AGRICULTURAL

PERMIT TYPE: WATER USE EXPIRED/PREVIOUSLY PERMITTED

WATER SOURCE: UPPER FLORIDAN AQUIFER

ALLOCATION: 19.05 MILLION GALLONS PER MONTH

LAST DATE FOR AGENCY ACTION: JUNE 27, 2016

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1.	CAPRON TRAILS MINE	APPL. NO.	151116-6
	INDRIO LAND GROUP L L C	PERMIT NO.	56-00765-W
	SEC 6, 7 TWP 34S RGE 39E	ACREAGE:	285.00
		LAND USE:	DEWATERING

PERMIT TYPE: WATER USE MODIFICATION/RENEWAL

WATER SOURCE: WATER TABLE AQUIFER

ALLOCATION: NOT REQUIRED

LAST DATE FOR AGENCY ACTION: JULY 12, 2016

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2.	SANTA LUCIA RIVER CLUB	APPL. NO.	160426-3
	PENN FLORIDA CLUB PROPERTIES I L L C	PERMIT NO.	56-03025-W
	SEC 13, 14, 23, 24 TWP 37S RGE 40E	ACREAGE:	100.00
		LAND USE:	GOLF COURSE

PERMIT TYPE: WATER USE RENEWAL

WATER SOURCE: CITY OF PORT ST. LUCIE UTILITIES, ON-SITE LAKE(S)

ALLOCATION: 25.38 MILLION GALLONS PER MONTH

LAST DATE FOR AGENCY ACTION: JULY 25, 2016

## **M E M O R A N D U M**

**TO:** Governing Board Members

**FROM:** Peter Antonacci, Executive Director

**DATE:** July 14, 2016

**SUBJECT:** Related to District Security Matters